

07.02.2023
Sl. No.36
akd
[ALLOWED]

C. R. M. (DB) 479 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2023 in connection with Arambagh Police Station Case No.401 of 2020 dated 05.11.2020 under Section 306 of the Indian Penal Code. (G.R. Case No.1121 of 2022)

And

In Re: **Santwana Maity**

... .. Petitioner

Mr. P. K. Bhattacharyya

... .. for the petitioner

Mr. Debabrata Chatterjee .. Id. Addl. Public Prosecutor

Mr. Santanu Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about two months. It is further submitted she has been falsely implicated. She has a 12-years old girl with special needs.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner tortured her husband who committed suicide.

We have considered the materials on record. Marriage took place ten years ago. Victim did not leave behind any suicide note. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Santwana Maity**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly subject to condition that the said petitioner shall appear before the trial court on every date of hearing

until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)