

16.02.2023
tkm/ct 28
sl no. 52

C.R.M. (DB) 640 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Khanakul P.S case no. 503 of 2022 dated 20.11.2022 under sections 498A/302/34 of the IPC and section 4 of the DP Act, charge sheet submitted under sections 498A/306 IPC and

Allowed

In Re : Annapurna Jana

..... petitioner

Mr. N S Ghosh
Mr. Sourav Mondal
Ms. S Chatterjee

..... for the petitioner

Mr. S G Mukhejee, Id PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

Petitioner is in custody for 88 days. It is contended incident occurred 15 years after marriage. She prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Charge sheet has been filed under section 306 IPC. Incident occurred 15 years after marriage. Statutory presumption under section 113A of the Evidence Act is not attracted in the facts of the case.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Arambagh on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 640 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)