

13.03.2023.
125.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 855 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola P. S. Case No.439 of 2022 dated 06.07.2022 under Sections 498A/304B/306 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act and charge sheet submitted under Sections 398A/304B/306 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Sulekha Bibi.

.... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. P. K. Ddutta, Id. A.P.P.,
Mr. Pradipta Kr. Ganguly.

...for the State.

Petitioner is the mother-in-law of the victim-housewife.

It is submitted she has been falsely implicated. She prays for bail.

Learned Advocate for the State opposes the bail prayer.

Learned Advocate for the de-facto complainant also opposes the bail prayer.

We have considered the materials on record. Victim housewife consumed poison and died. Petitioner is a lady and there is no chance of abscondence. Further detention of the petitioner for the purpose of investigation is not necessary.

Under such circumstances and the period of detention suffered by the petitioner i.e. 41 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners viz., Sulekha Bibi shall 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 Additional Chief Judicial Magistrate, Murshidabad at Lalbagh subject to condition that she 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)