

21.03.2023
tkm/ct 28
sl no. 60

C.R.M. (DB) 1021 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hariharpara PS case no. 232 of 2022 dated 1.6.2022 under sections 302/34 of the IPC
and

Allowed

In Re : Mitali Khatun & Anr.

..... petitioners

Mr. G Mastafa
Mr. Samirul Sardar
Mr. A Hussain

..... for the petitioners

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

Petitioners are in custody for 289 days. It is submitted that the principal accused Bablu Sardar is in custody. They renew their prayer for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. There was a domestic quarrel between the parties. Petitioners are the womenfolk in the family. Co-accused Bablu Sardar had a hammer and assaulted the victim.

Keeping in mind the extent of complicity of the petitioners in the alleged crime and as they are women and there is no possibility of their abscondence, we are inclined to enlarge the petitioners on bail.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM Murshidabad at Berhampur on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 1021 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)