

28.03.2023
tkm/ct 28
sl no. 61

C.R.M. (DB) 1164 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Lalgola PS case no. 361 of 2022 dated 15.10.2022 under sections 498A/302/34 of the IPC, subsequently charge sheet submitted under sections 498A/302/34 of the IPC

And

Allowed

In Re : Rebina Bibi @ Rebina Khatun

..... petitioner

Mr. M Chatterjee

Mr. R R Kumar

..... for the petitioner

Mr. S g Mukherjee, Id PP

Mr. P P Das

Ms. Eshita Datta

..... for the State

Petitioner is the sister-in-law of the victim housewife. It is contended that she did not strangle the victim. She prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits victim-housewife was strangled at her matrimonial home. Petitioner was present in the house.

We have considered the materials on record. There is no direct evidence that the petitioner who is the sister-in-law had strangled the victim housewife. Incident occurred inside a room. It is expected the victim-housewife would reside with her husband in the room.

Keeping in mind the aforesaid facts and as petitioner is a lady and investigation is complete, 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, Lalbagh, Murshidabad 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) 1164 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)