

20.04.2023
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 1574 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2023 in connection with Lalgola Police Station Case No.51 of 2023 dated 09.02.2023 under Sections 498A/304B/306/34 of the Indian Penal Code.

And

In Re: ***Fatema Bibi @ Fatema Khatun & Anr.***

... .. Petitioners

Mr. Debapriya Samanta

... .. for the petitioners

Mr. Joydeep Roy .. Jr. Govt. Advocate

Ms. Sujata Das

... .. for the State

Petitioners are the mother-in-law and sister-in-law respectively of the victim-housewife. It is submitted on behalf of the petitioners that they are in custody for about 70 days. Investigation is complete. Accordingly, they pray for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.

Therefore, the petitioners, namely ***(1) Fatema Bibi @ Fatema Khatun & (2) Rima Bibi***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that the said petitioners 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)