

11.05.2023
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allowed

CRM(DB) No. 1860 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangapur Police Station Case No. 49 of 2023 dated 15.02.2023 under Sections 498A/304B/306/34 of the Indian Penal Code.

And

In Re : Mamata Sutradhar & Anr..... petitioners

Mr. Sumanta Das

....for the petitioners

Mr. Saswata Gopal Mukherji, learned PP

Mr. Partha Pratim Das, learned APP

Mrs. Manasi Roy

.... for the State

Learned Counsel for the petitioners submits they are the mother and married sister-in-law of the victim housewife respectively. They are in custody for 84 days. Investigation is complete. They pray for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Allegations of torture against the petitioners are general and omnibus. Petitioner no. 2 is the married sister-in-law and does not ordinarily reside at the matrimonial home. Investigation is complete. They are women folk and there is no chance of abscondence. Accordingly, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to conditions that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)