

12.06.2023

Sl. 21

Court No. 29

Sourav

(Allowed)

C.R.M. (DB) 2149 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with SC Case No. 206 of 2022 arising out of **Bongaon** Police Station Case No. **359** of **2022** dated **09.04.2022** under Sections **498A/304B/302/34** of the Indian Penal Code, 1860.

And

In the matter of: **Suptarani Sen**

....petitioner.

Mr. Susnigdho Bhattacharyya

...for the petitioner.

Mr. Arijit Ganguly

Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner being the mother-in-law of the deceased has been implicated for offence punishable under Sections 498A/304B/302/34 IPC. The Post Mortem report is indicative of homicidal death of the deceased.
3. Considered the materials placed by learned Counsel for the parties including the statement of the witnesses.
4. There is nothing on record to show that the present petitioner had played any role so far as the homicidal death of the deceased is concerned. So far as torture and harassment for demand of dowry is concerned, it is precisely against the husband of the deceased and such allegation against the present petitioner is omnibus in nature. The petitioner is stated to be in custody for more than one year.
5. Learned Counsel for the State files a report of the Legal Remembrancer today in Court which shows that Public Prosecutor has already been appointed in the present case

since 09.06.2023, such report be taken on record.

6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, stage of the proceeding and nature of evidence against the present petitioner, it is directed that the petitioner shall be released on bail by the learned Additional Sessions Judge, 1st Court at Bongaon, on such terms and conditions as deemed just and proper in the facts and circumstances of the case in Connection with SC Case No. 206 of 2022 arising out of Bongaon Police Station Case No. 359 of 2022 dated 09.04.2022 including the condition that i) the petitioner shall appear before the Court on each date of substantive hearing ii) the petitioner shall not leave the jurisdiction of the Court without leave of the learned Trial Judge.
7. Accordingly, the prayer for bail is allowed.
8. The application being **CRM (DB) 2149 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

