

04.07.2023
tkm/ct 28
sl no. 197

C.R.M. (DB) 2648 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Simlapal P.S case no. 47 of 2023 dated 18.3.2023 under sections 498A/302/109/34 IPC and sections 3 and 4 of the DP Act

and

Allowed

In Re : Bharati Barik ... petitioner

Mr. Samiran Mandal

Mr. A Dan

..... for the petitioner

Mr. S Bapuli

Mr. Bibaswan Bhattacharya

..... for the State

Petitioner is the mother-in-law of the victim housewife. She is in custody for 105 days. It is contended that the allegation of administration of poison to the victim housewife is out and out false. She prays for bail.

Learned lawyer for the State opposes the bail prayer. He referred to the statement of the mother of the victim.

We have considered the materials on record. Mother of the victim stated that the latter had expressed apprehension that the petitioner and co-accused were attempting to administer poison but there is no direct evidence that the petitioner had administered poison to the victim.

Keeping in mind the aforesaid fact and as investigation is complete and there is no chance of abscondence, 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, Khatra 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) 2648 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)