

25.07.2023.
30.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2926 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail P. S. Case No.373 of 2019 dated 14.05.2019 under Sections 302/120B of the Indian Penal Code and charge sheet submitted under Sections 302/120B of the Indian Penal Code.

In the matter of : Jyoti Das @ Karmakar.

.... Petitioner.

Mr. Anindya Ghosh,
Mr. Pronojit Roy,
Mr. Debasis Chakraborty.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Petitioner is in custody for four years and two months.

Co-accused are on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

He submits petitioner had administered sedatives in the tea of her husband who was subsequently murdered by her paramour.

We have considered the materials on record. The paramour and other co-accused are on bail. Petitioner had suffered detention for more than four years. Only five out of fifteen witnesses have been examined till date. There is little possibility of trial concluding in the near future.

Under such circumstances and as the petitioner is a lady and there is no chance of abscondence, we are inclined to enlarge the petitioner on bail.

Accordingly, the petitioner viz., Jyoti Das @ Karmakar shall 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 Chief Judicial Magistrate, Howrah subject to condition that she 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, thus disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)