

25.07.2023
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allowed

CRM(DB) No. 2943 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 127 of 2023 dated 28.02.2023 under Sections 498A/304B/306/34 of the Indian Penal Code.

And

In Re : Sorifa Bibi @ Sarifa Bibi petitioner

Mr. Jisan Hossain
Ms. Chandrima Debnath
.....for the petitioner

Mr. Debabrata Chatterjee, learned APP
Mr. Santanu Chatterjee
..... for the State

Learned Counsel for the petitioner submits she is in custody for 141 days. It is also submitted investigation is complete. She prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits victim housewife committed suicide at the matrimonial home.

We have considered the materials on record. Petitioner is the mother-in-law of the victim housewife. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of her abscondence. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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, Berhampore,

Murshidabad, subject to condition that the petitioner 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 petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)