

04.08.2023
21
sdas
allowed

CRM(DB) No. 3100 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chatterjeehat Police Station Case No. 170 of 2022 dated 11.09.2022 under Sections 498A/306/304B/34 of the Indian Penal Code.

And
In Re : Dolly Sharma petitioner

Mr. Soumya Basu Roy Chowdhuri
.....for the petitioner

Mr. Debabrata Chatterjee, learned APP
Mr. Santanu Chatterjee
Ms. Maushumi Sarkar
..... for the State

Learned Counsel for the petitioner submits she is the mother-in-law of the victim housewife. It is also contended she stays at Brindaban and did not have any truck with her son or daughter-in-law who committed suicide. She is in custody for 209 days. She prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record including the statements of the witnesses who ordinarily resided with the victim housewife. Their statements show petitioner did not accept the marriage and the couple used to reside separately. There were disputes between the victim lady and her husband. Keeping in mind the aforesaid fact and the extent of complicity of the petitioner in the crime, we are inclined to grant bail to her.

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, Howrah, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)