

18.08.2023.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3254 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panchla P.S. Case No.272 of 2022 dated 24.07.2022 under Sections 498A/302/34 of the Indian Penal Code.

In the matter of : Ruksad Khatun @ Ruksad Begum.
.... Petitioner.

Mr. Anindya Ghosh,
Ms. Sumita Sarkar.
...for the Petitioner.

Mr. Sudip Ghosh, Sr. Govt. Adv.,
Mr. Koushik Kundu.
...for the State.

1. Petitioner is in custody for 151 days. It is submitted she is the sister-in-law of the victim lady. Co-accused Amina Khatun @ Amina Begum has been enlarged on bail. She prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits victim had been assaulted and set on fire.
3. We have considered the materials on record including the statement of the child of the victim. Child has not specifically named the petitioner as the assailant. Co-accused (another sister-in-law of the victim) is on bail.
4. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
5. Accordingly, the petitioner viz., Ruksad Khatun @ Ruksad Begum 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.

6. 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)