

31.08.2023
Sl. No.23
akd
[ALLOWED]

C. R. M. (DB) 3400 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2023 in connection with Harwood Point Coastal Police Station Case No.450 of 2022 dated 17.10.2022 under Sections 498A/304B/306/34 of the Indian Penal Code. (G.R. Case No.2538 of 2022)

And

In Re: ***Shankari Dolui***

... .. Petitioner

Mr. Partha Sarathi Mondal

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Public Prosecutor

Ms. Faria Hossain

Mr. Anand Kesari

... .. for the State

1. Petitioner is the mother-in-law of the victim lady.
2. It is submitted on behalf of the petitioner that she is in custody for about 67 days. Co-accused husband has been enlarged on bail. Investigation is complete. Accordingly, she prays for bail.
3. Learned Advocate for the State opposes the prayer for bail and submits victim lady committed suicide within five years of marriage.
4. We have considered the materials on record. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence of the petitioner. Co-accused husband has been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
5. Therefore, the accused/petitioner, namely ***Shankari Dolui***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom

must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kakdwip, South 24-Parganas subject to condition that the said petitioner 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 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.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)