

08.09.2023
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allowed

CRM(DB) No. 3497 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 554 of 2022 dated 12.08.2022 under Sections 498A/323/325/307 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Muslema Bewa @ Muslema Bibi petitioner

Mr. Tapodip Gupta

....for the petitioner

Mr. Debabrata Chatterjee, learned APP

Mr. Santanu Chatterjee

Ms. Maushumi Sarkar

.... for the State

1. Learned Counsel for the petitioner submits she is in custody for about a month. Co-accused/husband is on bail. She prays for bail.

2.Learned Counsel for the State opposes the prayer for bail.

3.We have considered the materials on record. Allegations against the petitioner are general and omnibus. Keeping in mind the aforesaid fact and as the petitioner is a lady and there is no chance of her abscondence, we are inclined to grant bail to the petitioner.

4.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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, subject to conditions that 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.

5. 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.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)