

17.11.2023
as/tkm/ct 28
sl no. 37

C.R.M. (DB) 4187 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhadreswar P.S case no. 465 of 2018 dated 6.12.2018 under sections 498A/304B/302 of the IPC
and

Allowed

In Re : Nasima Bibi @ Guriya & Anr. petitioners

Mr. Bitasok Banerjee
Ms. Abdus Salam

..... for the petitioners

Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

1. Petitioners are the parents-in-law of the victim wife. They are in custody for more than four years. It is contended they are not the principal accused. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits victim wife was strangled to death within five months of marriage. Trial is in progress.
3. We have considered the materials on record. Petitioners are the parents-in-law of the victim housewife. Husband is the principal accused. It is alleged they instigated the principal accused to commit the murder. They have suffered incarceration for about five years. Only one witness has been examined till date. There is slow progress in trial.
4. In view of the extent of complicity of the petitioners in the crime and slow progress in trial, we are inclined to grant bail to the petitioners.
5. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like

amount each, one of whom must be local to the satisfaction of the learned ACJM Chandannagar, Hooghly on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

7. The application being CRM (DB) 4187 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)