

22.11.2023
Sl. No.30
akd
[ALLOWED]

C. R. M. (DB) 4395 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.10.2023 in connection with Hanskhali Police Station Case No.614 of 2023 dated 28.07.2023 under Section 302 of the Indian Penal Code. (G.R. Case No.3609 of 2023)

And

In Re: **Sabita Das**

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Ms. Labani Sikder

... .. for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

... .. for the State

1. It is submitted on behalf of the petitioner that there was a dispute between neighbours. In the course of hot altercation, victim fell on the floor and suffered injuries. Ultimately, she succumbed to her injuries. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statements show there was an altercation between neighbours. In the course of altercation, victim was assaulted by bamboo sticks and succumbed to her injuries. Whether injuries were caused by assault may be assessed during trial. However, it is undeniable incident occurred during sudden quarrel without pre-meditation. Petitioner is a lady and there is no chance of her abscondence. Accordingly, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sabita Das**, 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, Ranaghat, Nadia 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.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)