

29.11.2023

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Allowed

C.R.M. (DB) No. 4408 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwanpur Police Station Case No. 210 of 2023 dated 15.05.2023 under Sections 302/201/120B of the Indian Penal Code.

And

In Re : Chandana Ghara petitioner

Mr. Navanil De

Mr. Mazhar Hossain Chowdhury

.....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

.....for the State

1. Learned Counsel for the petitioner submits she is the wife of the deceased. It is also submitted she did not commit the murder. She is in custody for 169 days. She prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner had a dispute with the deceased. She called the deceased to her parental home. Thereafter he was murdered.

3. We have considered the materials on record. Petitioner is the wife of the deceased. It is alleged she had called him to her parental home. Thereafter he had been brutally murdered. It is not the prosecution case that the petitioner participated in the murder. She is a lady and there is

no chance of abscondence. Under such circumstances, 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, Contai, Purba Medinipur, subject to conditions that 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 she 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)