

31.01.2024

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Allowed

C.R.M. (DB) No. 281 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur Police Station Case No. 502 of 2023 dated 06.10.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Sampa Sarkar petitioner

Mr. Arnab Mukherjee

Mrs. Sreyoshi Manna

Mrs. Poly Banerjee

.....for the petitioner

Mr. Debasish Roy, learned PP

Mr. Navanil De

.....for the State

1. Learned Counsel for the petitioner submits she is in custody for 114 days. She is the mother-in-law of the victim lady. Investigation is complete. There is no chance of abscondence. She prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and refers to the dying declaration of the victim recorded in the medical papers.

3. We have considered the materials on record including dying declaration. Victim stated her husband was an inebriated person. She alleged the petitioner, her mother-in-law, did not find fault with her husband. Keeping in mind the extent of complicity of the petitioner in the domestic quarrel which had prompted the housewife to commit suicide and there

is no chance of abscondence and as investigation is complete, 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 District and Sessions Judge at Ranaghat, Nadia, subject to condition 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 petitioner 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.)