

31.01.2024
38
sdas
allowed

CRM(DB) No. 282 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jagatballavpur Police Station Case No. 206 of 2023 dated 08.08.2023 under Sections 302/34 of the Indian Penal Code.

And

In Re : Sobrati Begum & Anr. petitioners

Mr. Mrityunjoy Chatterjee

Mr. Manas Das

Mr. Debapriya Majumder

....for the petitioners

Mr. Mainak Gupta

.... for the State

1. Learned Counsel for the petitioners submits there was a fight amongst the neighbours. Petitioners are women folk and are not the principal accused. They are in custody for 135 days and 136 days respectively and investigation is complete. Accordingly, they pray for bail.

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

3. We have considered the materials on record. The incident occurred in the course of a sudden quarrel. Petitioners are women folk in the family and do not appear to be principal accused. Keeping in mind the extent of their complicity in the crime and as there is no chance of abscondence and as investigation is complete, we are inclined to grant bail to the petitioners.

4. Accordingly, we direct that the petitioners shall 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 Chief Judicial Magistrate, Howrah, subject to condition that petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their 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.)