

18.4.2024
Ct. No. 28
SL No. 42
Bd / SB

C.R.M. (DB) 1161 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Thanarpara P.S. Case No. 221 of 2023 dated 06.10.2023 under Sections 498A/302/313/314/326A/34 of the Indian Penal Code.

And

In the matter of: Sarifa Khatun Bibi

Ms. Karabi Roy ...for the Petitioner

Mr. Rudradipta Nandy
Ms. Nandini Chatterjeefor the State

1. Heard learned lawyers for the parties.
2. Petitioner is the married sister-in-law of the victim lady. She submits that she has been falsely implicated. She is in custody for 67 days. She prays for bail.
3. Learned lawyers for the State submits that husband and in-laws of the victim lady had forced her to consume deleterious substance. As a result she died.
4. We have considered the materials on record. We have also examined the statements of the neighbours who claimed that they had administered the deleterious substance on the instructions of the husband and other in-laws including the petitioner. If that be so, the said neighbours ought to have been arrayed as co-accused. Hence we choose to give little credence to their statements. Apart from the aforesaid statements there is no other material to show that petitioner had administered deleterious substance to the victim lady.
5. In view of the aforesaid, and as the petitioner is a lady and there is no chance to abscondence, we are inclined to grant bail.
6. Accordingly, 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, Tehatta, Nadia, subject to the condition that the 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.

7. 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 automatically without any further reference to this Court.
8. The application for bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)