

51.
20-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1781 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Arambagh Police Station Case No.148 of 2024 dated 24-03-2024 under Sections 304/34 of the Indian Penal Code.

- A n d -

**In the matter of : Soma Bag Debanshi @ Soma Debanshi @
Soma Bag @ Soma Debanshi (Bag)**

.... Petitioner.

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Mr. Anamitra Banerjee

... For the Petitioner.

Ms. Zareen N. Khan,
Mr. Ashok Das

... For the State.

The petitioner is the wife of the defacto-complainant. The allegation is that the petitioner pushed the father of the defacto-complainant, who fell down and sustained injury in the head. Subsequently, he succumbed to the injury.

The petitioner says that she had no intention of causing any grievous harm to the victim. She is in custody for 88 days. She is willing to cooperate with the Investigating Officer to the fullest.

Learned advocate for the State opposes the prayer of the petitioner for bail. He says that charge sheet is yet to be filed and, therefore, investigation is not complete. He draws our attention to statements of witnesses recorded under Section 164 of the Code of Criminal Procedure.

Having considered the material in the Case Diary and the stage of investigation, we are of the view that further

detention of the petitioner in custody may not be necessary so long as she cooperates fully with the Investigating Officer.

Accordingly, we direct that the petitioner, namely, **Soma Bag Debanshi @ Soma Debanshi @ Soma Bag @ Soma Debanshi (Bag)**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Arambagh. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station.

In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1781 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)