02.07.2024
Item no. 45.
Court No.28.
AB
(Allowed)

CRM (DB) 1887 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No.460 of 2021 Dated 02.12.2021 under Sections 498A 328/307/34 of the Indian Penal Code read with Sections 3/4 of the D. P. Act

And

In the matter of : Jonneka Bewa @ Janneka Bewa

.....Petitioner.

Ms. Shabana Hasin,
Ms. Samima Akter Banu
Ms. Neha Roy .....for the Petitioner.

Ms. Sreyashi Biswas,
Ms. Trisha Rakshit .....for the State.

The petitioner is the mother-in-law of the victim lady. The allegation is that the petitioner administered poison on the victim lady. The charge is of attempted murder.

The petitioner says that she is in custody for 61 days. Investigation is complete. There is no sufficient material against her.

Learned Advocate for the State, while opposing the prayer for bail, draws our attention to the statement of the victim lady recorded under Section 164 Cr.P.C. as also statements of neighbours saying that the mother-in-law and the husband used to torture the victim lady.

Signed By :
APURBA
BANDYOPADHYAY
High Court of
Calcutta
3 rd of July 2024
11:31:51 AM

We have considered the facts and circumstances of the case and the material on record. The statements of the neighbours are general in nature. The husband of the victim lady was granted bail by the learned Sessions Judge on January 12, 2022. The medical report is also inconclusive.

On an overall assessment of the facts and circumstances of the case and the material on record and since investigation is complete, we are of the view that further custodial detention of the petitioner may not be necessary.

Accordingly, we direct that the petitioner, namely **Jonneka Bewa @ Janneka Bewa** 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, Jangipur at Murshidabad, and on further conditions that she shall not leave the jurisdiction of the concerned police station until further orders and shall cooperate with the investigation.

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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)