

07.
Court
No.28

04.09.2024

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2504 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Bhatpara** Police Station Case No. **204/2024** dated **04.4.2024** under Sections **498A/304B/34** of the Indian Penal Code. Charge-sheet dated 07.6.2024 under Sections **498A/304B/34** of the Indian Penal Code.

And

In the matter of: - **Smt Mousumi Mukharjee** ...petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha ...for the petitioner.

Mr. Iqbal Kabir
Ms. Dattatreya Dutta ...for State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the mother-in-law of the victim lady who committed suicide. She denies having anything to do with the alleged crime. She is in custody for 152 days. Investigation is complete. She prays for bail.
2. While opposing the prayer for bail, learned State Counsel draws our attention to the material in the case diary.
3. We have seen statements of neighbours recorded under Section 161 of the Code of Criminal Procedure, 1973. The allegations are general and omnibus in nature.
4. On an overall assessment of the material on record and considering the fact that investigation is complete, in our opinion, there is no need to detain the petitioner in custody any further. Hence, the prayer for bail is allowed.

5. Accordingly, we direct that the petitioner, namely, **Smt Mousumi Mukharjee** 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 the learned Chief Judicial Magistrate, North 24 Parganas at Barasat, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above 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.
7. The application for bail being CRM (DB) 2504 of 2024 is accordingly disposed of.
8. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)