

07.11.2024
Sl. No.77
SG
[ALLOWED]

C. R. M. (DB) 3362 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.09.2024 in connection with Tamluk Police Station Case No. 679/2019 dated 11.11.2019 under Sections 498A/302/34 of the Indian Penal Code, 1860 and Section 9/10 of the Prohibition of Child Marriage Act.

And

In Re: ***Kashmira Bibi @ Kashmira Bibi***

... .. Petitioner

Mr. Swapan Kr. Mallick,
Mr. Abhinaba Mukherjee.

... .. for the petitioner

Ms. Minoti Gomes,
Mr. Aslam Parvez

... .. for the State

1. Petitioner is the mother-in-law of the victim lady. She is in custody for 179 days. She is not the principal accused. Accordingly, she prays for bail.
2. Learned Advocate for the State submits petitioner had absconded for four years.
3. We have considered the materials on record. Victim lady was murdered at the matrimonial home. However, the principal offender, that is, her husband is on bail. Petitioner is the mother-in-law of the victim lady. There is no possibility of trial concluding in the near future.
4. Under such circumstances, we are inclined to grant bail to the petitioner also.
5. Therefore, the accused/petitioner, namely ***Kashmira Bibi @ Kashmira Bibi*** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of

like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Tamluk subject to condition that the said 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.

6. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)