

11.11.2024

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Allowed

C.R.M. (DB) No. 3609 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Belgharia Police Station Case No. 243 of 2024 dated 12.06.2024 under Sections 302/201 of the Indian Penal Code.

In Re : Sangita Sharma petitioner

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
.... for the petitioner

Mr. Bitasok Banerjee
Ms. Sima Biswas
.... for the State

1. Learned Counsel for the petitioner submits she is in custody for five months. It is also submitted she conceived. Due to social pressure and to hide her guilt she threw her child outside the house. As a result the child died. Accordingly, she prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Petitioner was an unwed mother. Due to social pressure, out of shame she threw out her new born baby. She is not a hardened criminal. There is no chance of her abscondence. Hence, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that 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 Chief Judicial Magistrate, Barrackpore, subject to condition that 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.

5. In the event petitioner fails to appear before the trial court 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.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)