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08-11-2024
(ct. no.01)
S. De
(Allowed)

**THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (DB) 555 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Coochbehar Sadar Women Police Station Case No. 120 of 2024** dated **30.06.2024** under **Sections 498A/304B/302/34** of the Indian Penal Code read with **Section 3/4** of Dowry Prohibition Act.

And

In the matter of : Bibi Kulshum @ Kulsum Bibi.

.....Petitioner.

Mr. Subhasish Misra,
Mr. Satyajit Paul,for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Biswarup Roy,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the mother-in-law of the victim lady. She says that she has absolutely no role to play in the alleged crime. She used to reside in Bihar and at the relevant time she was in Bihar. The incident happened in Coochbehar. The alleged murder took place in Coochbehar and the body of the victim was recovered there. She is in custody for 31 days. She prays for bail.
2. Opposing the prayer for bail, learned State advocate says that investigation is in progress. Involvement of the petitioner in the alleged crime cannot be ruled out. Her name appears in the First Information Report.

3. We have considered the material in the case diary. There prima facie does not appear to be any incriminating material against this petitioner. She is a lady aged about 60 years. We are of the view that her further custodial detention is not necessary so long as she co-operates fully with the Investigating Officer.
4. Accordingly, we direct that the petitioner, namely **Bibi Kulshum @ Kulsum Bibi** 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 Chief Judicial Magistrate, Coochbehar and on further conditions that she shall not leave the jurisdiction of the of the concerned police station until further orders.
5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)