

24.03.2025
Item no. 19.
Court No.29.
AB
(Allowed)

CRM (DB) 261 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Golabari Police Station Case No.03 of 2021 Dated 03.01.2021 under Sections 302/201/120B of the Indian Penal Code

And

In the matter of : Pinky Devi

.....Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatunfor the Petitioner.

Ms. Z. N. Khan,
Mr. S. Basu Roychoudhury.....for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State, be kept with the records.
2. We see that the petitioner is in custody for about four years and two months. Only 11 out of 22 charge sheet named witnesses have been examined. There has been no examination of witness since August, 2024. The petitioner prays for bail.
3. Opposing the bail prayer, learned State Counsel says that the petitioner strangled her husband. The body was carried to the pond by the petitioner's daughter and paramour.
4. We see that the petitioner's daughter who was tried by the Juvenile Justice Board has been acquitted. Further, prima facie there does not appear to be any incriminating material against the petitioner implicating her in the murder of the victim.

5. In view of the aforesaid and in view of the long detention of the petitioner, who is a lady and seeing that an early conclusion of the trial is a far cry, we allow the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely **PINKY DEVI** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties, to the satisfaction of the learned Chief Judicial Magistrate, Howrah, and on further condition that she shall not leave the jurisdiction of the concerned police station until further orders.
7. 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.
8. 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.
9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

