

02.04.2025

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jb.

jdt.

Allowed

C.R.M. (DB) 476 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Chanditala Police Station Case No. 881 of 2024 dated 12.11.2024
under Sections 85/103(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Sakina Begum @ Sakina Bibi**

... Petitioner.

Mr. Partha Sarathi Das

... For the Petitioner.

Mr. Debabrata Chatterjee

Mr. Siladitya Banerjee

... For the State.

The petitioner is the married sister in law of the victim and is in custody for about 137 days. Learned counsel for the petitioner submits that the allegation under Section 85/103(1) of the Bharatoua Nyaya Sanhita is primarily against the husband and the mother in law of the victim and the petitioner was not present at the place of occurrence when the alleged incident occurred.

Learned counsel for the State produces the case diary and opposes the prayer for bail.

It appears from the statement of the son of the victim recorded under Section 164 of the Code of Criminal Procedure that the petitioner was not present in the matrimonial house of the victim when the alleged incident occurred. Charge-sheet has been submitted.

Considering the period of detention of the petitioner as well as the extent of her complicity in the alleged offence, this Court is inclined to hold that further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sakina Begum @ Sakina Bibi shall be released on bail upon furnishing 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 Additional Chief Judicial Magistrate, Serampore subject to condition that she shall not enter the jurisdiction of Chanditala Police station, District Hooghly except for attending the court proceeding on every date of hearing fixed by the learned trial Court. She shall not tamper with the evidence and intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with any of conditions stated above, the learned trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail, being CRM (DB) 476 of 2025, is, thus, disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)