

16.05.2025

Item No.32

Ct.No.34

rc.

Allowed

C.R.M. (M) 317 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhadreswar Police Station Case No. 420 of 2024 dated 19.10.2024 under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Shabnam Khatoon @ Guriya** ... Petitioner

Mr. Bitashok Banerjee ... for the Petitioner

Ms. Faria Hossain

Ms. Suveni Banerjee ... For the State

Petitioner is in custody for about seven months.

She is the wife of the deceased. An altercation took place between the couple. The deceased was carrying a knife. The petitioner allegedly snatched the knife from her husband stabbed him.

Learned counsel for the State opposes the prayer for bail.

Charges have been framed and the case fixed for evidence of witnesses.

I have considered the material on record, particularly, statement of witnesses recorded under Section 164 of the Code of Criminal Procedure. One of the statements prima facie suggests that the petitioner retaliated to the act of the

deceased and stabbed him by snatching the knife carried by him.

Considering the fact that the incident arose out of hot altercation between the petitioner and the deceased and there may not have been premeditation on the part of the petitioner, this Court is of the view that further detention of the petitioner may not be necessary and she may be granted bail.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner **Shabnam Khatoon @ Guriya** 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, Chandannagar, Hooghly subject to condition that she shall appear before the learned trial Court on every date of hearing. She shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, 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 is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)