

21.05.2025

Item No.25

Ct.No.34

rc.

Allowed

C.R.M. (M) 384 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 Ashokenagar Police Station Case No. 198 of 2023 dated 25.03.2023.

And

In Re : **Tohara Bibi**

... Petitioner

Mr. Ashok Kumar Choudhury

... for the Petitioner

Mr. Avishek Sinha

Ms. Madhumita Basak

... For the State

The petitioner is in custody for more than two years and prays for bail.

Learned counsel for the petitioner submits that the petitioner has no connection with the alleged murder. She is the mother in law of the deceased and used to reside separately from her.

Learned counsel for the State opposes the prayer.

I have considered the material on record. Though the written complaint states that the deceased was called by her estranged husband to his house and went missing thereafter, statement of the son of the deceased shows that the phone call was made by the petitioner. The body of the victim was found later on in her matrimonial home.

Considering the material on record and extent of complicity of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not required and she may be released on bail.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner **Tohara Bibi** 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 Chief Judicial Magistrate, Barasat subject to condition that she 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.)