

10.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1248 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Raiganj Police Station Case No. 243/2024 dated 10.03.2024 under Sections 302/34 of the Indian Penal Code.

And

In Re : Rinku Das @ Mona

Mr. Pradyut Saha
Mr. Nirupam Dhali

... For the Petitioner.

Mr. Koushik Kundu
Ms. Sreetama Das

... For the State

The petitioner is in custody for more than a year and prays for bail.

Learned counsel for the State opposes the prayer.

A child has been poisoned to death. The petitioner is the mother of the child. The alleged incident occurred on 29th May, 2023. FIR was lodged on 10th March, 2024 by the mother of the petitioner implicating the petitioner in the alleged offence. However, no plausible explanation has been assigned with regard to the delay in lodging the FIR. Vulnerable witnesses have been examined. The petitioner is in custody for more than a year.

Considering the material on record, delay in lodging the FIR as well as the fact that the petitioner is a lady, this Court is of the view that further detention of the petitioner is not required. She may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Rinku Das @ Mona 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 Chief Judicial Magistrate, Uttar Dinajpur at Raiganj subject to condition that she shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. She shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any 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 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.)