

03.03.2025
Sl. No.65
akd

C. R. M. (DB) 3560 of 2023

In Re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure filed on 01.09.2023 :

A N D

In Re : Najera Bibi

... Petitioner

Mr. Sandipan Das
Mr. Badrul Karim
Mr. Aritra Ghosh

... .. for the petitioner

Mr. Saryati Datta
Mr. Sanjib Kumar Dan

... .. for opposite party nos.2 to 6

Md. Anwar Hossain

... .. for the State

1. It is submitted on behalf of the petitioner that her son had gone missing. Subsequently his body was found hanging. Present case was registered for abetment to suicide. Opposite party nos.2 to 6 were granted pre-arrest bail. Subsequently, petitioner filed a writ petition being WPA 23991 of 2023 and a Hon'ble Single Judge of this court directed the Zonal Deputy Superintendent of Police, Purba Bardhaman to supervise the investigation and find out materials under Section 302 of the Indian Penal Code. Pursuant to further investigation, supplementary charge sheet has been filed reiterating the same offence.

2. In this backdrop, we do not find any reason to cancel the pre-arrest bail granted to opposite party nos.2 to 6 on the ground a graver offence has been disclosed.

3. It is also argued opposite party nos.2 to 6 are regularly threatening witnesses and a separate criminal case has been registered under Section 195A of the Indian Penal Code.

4. We are informed opposite party nos.2 to 6 have been granted bail in the said case. Accordingly, we are not inclined to cancel the bail on this score too.

5. In the event the petitioner is aggrieved by filing of the supplementary charge sheet under Section 306 IPC, it is open to the petitioner to agitate her grievances before the appropriate forum, if not already done.

6. With these observations, CRM (DB) 3560 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)