

25.11.2025

Item No.109

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 2416 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Pathar Pratima Police Station Case No. 111 of 2022 dated 23.04.2022 under Sections 498A/302/304B/34 of the Indian Penal Code and charge-sheet under Sections 498A/325/316/304B/34 of the Indian Penal Code (G.R. Case No. 827 of 2022).

And

In Re : **Habu @ Bibekananda Mondal and another**
... Petitioners.

Mr. Malay Bhattacharya,
Mr. Pradip Paul,
Ms. Renesa Dey,
Ms. S. Mondal

... For the Petitioners.

Mr. Sandip Chakraborty,
Ms. Ratna Ghosh

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for 3 years 7 months and out of 25 witnesses, proposed to be examined by the prosecution, only 16 witnesses have been examined. It has been further submitted that the victim hanged herself in a bedroom; the husband was in close proximity at the relevant point of time and the petitioners being the parents-in-law, although they were at home, but the totality of the circumstances do not reflect that they were in close proximity at the time of the alleged offence.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of

the Court to the statement recorded under Section 164 of the Code of Criminal Procedure as well as *post mortem* report. The *post mortem* report reflects signs of torture, however, the death was because of hanging as is reflected.

Be that as it may, having regard to the overall circumstances and the petitioners being the parents-in-law who have suffered for 3 years 7 months and the fact that some more time is required to conclude the trial, I am inclined to release the petitioners on bail. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Habu @ Bibekananda Mondal** and 2. **Manjushree Mondal** shall be released on bail upon furnishing bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kakdwip, South 24-Parganas.

If on bail, the petitioners shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the learned Additional Chief Judicial Magistrate, Kakdwip without the leave of the learned Trial Court.

The application for bail, being CRM (M) 2416 of 2025, is, thus, disposed of.

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

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

(Tirthankar Ghosh, J.)