

10.01.2025
Item no.04.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 4322 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023, in connection with **Kotwali Police Station Case No. 272 of 2022** dated **28.04.2022** under **Sections 302/120B of the Indian Penal Code 1860.**

And

In the matter of : Maiselee Dutta.

.....Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun, for the Petitioner.

Mr. Anand Keseri,
Mr. Raju Mondal, for the State

Dictated by Arijit Banerjee, J.

1. The petitioner was a juvenile at the time of the alleged incident. The charge is that she along with her boy friend and his parents poisoned the petitioner's mother to death. She is in confinement for 2 years and 8 months in SMM Home, Liluah, Howrah. Only 7 out of 27 chargesheet named witnesses have been examined. She prays for bail.
2. We see that the maximum punishment that would be imposed on the petitioner in the event she is found guilty is three years. She is already in confinement for 2 years and 8 months. There is no possibility of an early conclusion of the trial.

3. In the facts and circumstances of the case, we are inclined to grant bail to the petitioner.
1. Accordingly, we direct that the petitioner, namely, **Maiselee Dutta** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the learned Judge, Juvenile Justice Board, Paschim Medinipur subject to the conditions that the petitioner shall remain within the jurisdiction of the concerned police station.
2. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
3. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
4. The application for bail is, accordingly, allowed.
5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)