

04.02.2026
Item no. 130.
Court No.35.
AB
**(Partly
Allowed)**

CRM (M) 2088 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domkal P. S. Case No.83 of 2024 Dated 03.02.2024 under Sections 498A/326/307/34/302 of the Indian Penal Code read with Sections 3/4 of the D. P. Act

And

In the matter of : Hakim Sk. & Others Petitioners.

Mr. J. I. Hossain for the Petitioners.

Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharyafor the State.

1. Learned Advocate appearing for the petitioners submits that petitioner no.1 is the husband, petitioner no.2 is the father-in-law and petitioner no.3 is a distant relative. All of them are in custody for a substantial period of time. After framing of charge, trial has already commenced.
2. Learned Advocate appearing for the State opposes the prayer for bail and emphasizes on the manner in which the deceased was set ablaze on the issue relating to money.
3. I have taken into account the statements of two of the witnesses recorded under Section 164 Cr.P.C. as also the dying declaration of the victim. Having considered the same, I am of the view that further detention of the petitioner no.3 is unwarranted.

4. However, considering the complicity of the other two petitioners, namely, Hakim Sk. and Tohor Sk. @ Tohiruddin Sk., I am of the view that they are not entitled to the liberty, as prayed for.
5. Accordingly, the prayer for bail of the petitioner nos.1 and 2, namely, Hakim Sk. and Tohor Sk. @ Tohiruddin Sk. are rejected.
6. However, the prayer for bail of the petitioner no.3, namely, Reshma Bibi @ Resma Bibi @ Esmatara Khatun is allowed.
7. Accordingly, the petitioner no.3 viz, **Reshma Bibi @ Resma Bibi @ Esmatara Khatun** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/-, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore.
8. If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of Murshidabad without prior permission of the learned Trial Court.
9. The application for bail, being CRM (M) 2088 of 2025 is, thus, partly allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

