



**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No. 1718 OF 2026  
[Arising out of SLP (Crl.) No.3558 OF 2026]**

**SARIFAN BIBI @  
SHORIFUN BIBI**

**APPELLANT**

**VERSUS**

**STATE OF WEST BENGAL**

**RESPONDENT**

**ORDER**

1. Leave granted.
2. The High Court at Calcutta, by the impugned judgment and order dated 27<sup>th</sup> October, 2025, has rejected the prayer of the appellant (mother-in-law of the victim) for grant of bail.
3. Appellant, figuring as an accused in FIR No.707 of 2023 dated 17<sup>th</sup> September, 2023 registered at Police Station Beldanga, District Murshidabad, West Bengal under Sections 498-A, 302 and 304-B of the Indian Penal Code, 1860, was arrested on 18<sup>th</sup> September, 2023.
4. We have heard learned counsel appearing for the parties.
5. Chargesheet has been filed as far back as on 15<sup>th</sup>

December, 2023, yet, the charges are not framed because the co-accused (the appellant's son) is reportedly absconding.

6. Statements of witnesses recorded under Section 161 of the Code of Criminal Procedure, 1973 are part of the counter affidavit filed by the respondent-State of West Bengal. Majority of such witnesses are not sure as to whether the appellant smothered the victim to death or she died due to hanging.

7. Prosecution proposes to examine 18 witnesses to prove its case. Since, however, the charges are not yet framed, the trial is likely to take some time to conclude.

8. Bearing in mind the totality of the facts and circumstances and the period of the appellant's pre-trial incarceration coupled with the fact that she is a woman, we are of the considered opinion that further detention of the appellant pending trial is not necessary; and also that since the appeal deserves acceptance, the appellant may be admitted to an order for grant of bail.

9. Accordingly, we set aside the impugned judgment and order.

10. Appellant shall be released on bail, subject to

furnishing of bail bonds to the satisfaction of the trial court and subject to such other terms and conditions as may be imposed by it.

11. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to the court.

12. In the event there is any breach of the terms and conditions for grant of bail, the trial court shall be at liberty to cancel the bail of the appellant.

13. It is also ordered that the appellant shall diligently attend proceedings of the trial, unless exempted. If she abstains from attending the proceedings without justifiable cause, that could also be seen as breach of the conditions for grant of bail and the trial court will be free to pass appropriate orders.

14. We clarify that the observations made in this order and grant of bail will not be treated as findings on the merits of the case.

15. The appeal is, accordingly, allowed on the aforesaid terms.

16. Pending application(s), if any, shall stand disposed of.

.....J.  
**(DIPANKAR DATTA)**

.....J.  
**(SATISH CHANDRA SHARMA)**

**New Delhi;  
April 02, 2026.**

ITEM NO.1

COURT NO.8

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Special Leave to Appeal (Crl.) No(s). 3558/2026

[Arising out of impugned final judgment and order dated 27-10-2025 in CRM(M) No. 1621/2025 passed by the High Court at Calcutta]

SARIFAN BIBI ALIAS SHORIFUN BIBI

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

IA No. 46190/2026 - EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT

IA No. 46192/2026 - EXEMPTION FROM FILING O.T.

Date : 02-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Dibyadyuti Banerjee, Adv.  
Ms. Sumedha Halder, Adv.  
Mr. Abhijit Sengupta, AOR  
Mr. Paras Chauhan, Adv.  
Mr. Navneet Singh, Adv.  
Mr. Vishal Kumar Singh, Adv.  
Mr. Alok Singh, Adv.  
Mr. S. K. Mehta, Adv.

**For Respondent(s) :Mr. Kunal Mimani, AOR**

**UPON hearing the counsel the Court made the following  
O R D E R**

1. Leave granted.
2. The appeal is allowed in terms of the signed order placed on the file.

**(JATINDER KAUR)  
P.S. to REGISTRAR**

**(SUDHIR KUMAR SHARMA)  
COURT MASTER (NSH)**