

13.08.2021

Court No.28
Item No.14
(Rejected)

CRM 3866 of 2021
(Via Video Conference)

As

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Amdanga Police Station Case No. 14 of 2019 dated 21.01.2019 under Sections 498A/364/120B/346/368/509 of the Indian Penal Code;

And

In the matter of : **Atabuddin @ Aptabuddin @ Artabuddin Molla.**
...Petitioner

Mr. Sarwar Jahan,
Mr. Maidul Islam Kayal.

...For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Ms. Faria Hossain,
Mr. Aniket Mitra.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Amdanga Police Station Case No. 14 of 2019 dated 21.01.2019 under Sections 498A/364/120B/346/368/509 of the Indian Penal Code.

The marriage of the deceased was solemnised on 26th September, 2014 with the petitioner. After few days of marriage, matrimonial discord cropped up and the deceased went back to her paternal home. Subsequently, the husband of the deceased brought her back on the plea that he would take her to Kerala where he used to work. On 25th January, 2018, after getting the news that the deceased and her husband returned to her matrimonial home, the father of the deceased went to see her but did not find. He conducted a search and subsequently lodged a missing diary. Subsequently, on the basis of a complaint under Section 156(3) of the Code of Criminal Procedure, the First Information Report was registered.

During investigation it was ascertained that the dead body of the deceased was recovered in chopped condition from a pond

situated within Haringhata Police Station. The offending weapon was also recovered from the said pond on the basis of a leading statement made by the petitioner under Section 27 of the Indian Evidence Act. The investigation of the case is complete and charge sheet is filed.

Considering the materials in the Case Diary as well as prima facie case being established on filing of charge sheet, we are not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 3866 of 2021 is thus **dismissed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)