

07.12.2021
Sl. No.14
akd
[ALLOWED]

C. R. M. 5380 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.07.2021 in connection with Raniganj Police Station Case No. 51 of 2021 dated 02.02.2021 under Sections 498A/302/34 of the Indian Penal Code. (G.R. Case No.33B of 2021)

And

In Re: ***Minati Goswami***

... .. Petitioner

Mr. Anirban Mitra
Mr. Amit Halder

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Ld. Public Prosecutor
Ms. Faria Hossain
Mr. Aniket Mitra

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 303 days. It is further submitted that there is no direct evidence that the petitioner has assaulted the housewife and set her on fire. It is also submitted that the incident occurred eight years after marriage.

Learned advocate appearing for the State opposes the prayer for bail and submits that the victim-housewife suffered burn injuries at her matrimonial home.

We have considered the statements of witnesses. There is no direct evidence that the petitioner had set the housewife on fire. Allegation of strangulation is not supported by post-mortem report. In view of the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Minati Goswami***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom

must be local, to the satisfaction of the learned Chief Judicial Magistrate, Paschim Bardhaman subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)