

13.07.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2217 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.116 of 2014 dated 16.02.2014 under Section 302/201/34 of the Indian Penal Code.

In the matter of : Nilambar Mishra.

... Petitioner.

Mr. Sandipan Ganguly, ld. Sr. Adv.,
Mr. Indrajit Bhattacharjee.

...for the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for 91 days. It is submitted he was employed with the Indian Air Force and was not present at the place of occurrence. Subsequently, he has surrendered and is presently in custody.

Learned Advocate for the State opposes the prayer for bail. She submits petitioner was living with the deceased as husband and wife. There are ample evidence to show petitioner had called the deceased and thereafter her dead body was recovered. Petitioner had absconded for more than eight years.

We have considered the materials on record. Petitioner and the victim were living together as husband and wife. Statements of witnesses and other documents show petitioner had called the victim and thereafter her dead body was recovered..

In view of the aforesaid incriminating materials on record, gravity of offence and protracted abscondence of the petitioner, we are not inclined to grant bail to the petitioner.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)