

06.04.2023
ct 28
sl no. 39

C.R.M. (DB) 1386 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Burwan PS case no. 314 of 2021 dated 10.11.2021 under sections 498A/302/34 of the IPC

And

Allowed

In Re : Mangal Bagdi

..... petitioner

Ms. M Gomes

..... for the petitioner

Mr. P P Das

Ms. Manasi Roy

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Petitioner is the husband of the victim-housewife. Victim-housewife went missing from the matrimonial home. One month later her decomposed body was recovered. Case is based on circumstantial evidence. No evidence is forthcoming that the victim was last seen with the husband. Investigation is complete. Petitioner is in custody for 290 days. There is no possibility of abscondence.

In view of the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Kandi Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application being CRM (DB) 1386 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)