

16.04.2024.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 857 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kushmandi P.S. Case No.248 of 2023 dated 30.09.2023 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act and charge sheet submitted under Sections 498A/302/34 of the Indian Penal Code.

In the matter of : **Wajed Ali @ Awazed Ali.**

.... Petitioner.

Mrs. Jeenia Rudra.

...for the Petitioner.

Ms. Zareen N. Khan.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statement of the minor daughter of the couple is placed on record. Her further statement before Magistrate shows that her mother had fallen on a pole and died.
3. In view of the consistent statement before Magistrate which is exonerative in nature, we are inclined to enlarge the petitioner on bail.
4. Accordingly, the petitioner viz., **Wajed Ali @ Awazed Ali** shall 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 Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that he 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.

5. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)