

CRM (DB) 3062 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of BNSS in connection with **Kandi Police Station** Case No. **116 of 2024** dated **20.02.2024** under Sections **498A/326/307/34** of the Indian Penal Code read with Sections 3/4 of the D.P. Act.

- A n d -

In the matter of : Sarajit Bagdi

.... Petitioner.

Md. Fahiz Ali,

... For the Petitioner.

Mr. Sudip Kumar,

Mr. Sujata Das,

... For the State.

1. Heard the learned lawyers for both the parties.
2. Petitioner is in custody for eight months. He submits he has been falsely implicated. He prays for bail.
3. Learned Advocate for the State opposes the bail prayer.
4. We have considered the materials on record. The incident occurred two years after marriage. While the neighbours state that the victim confided that she had set herself on fire. Hospital records note it is a case of accidental burns.
5. In view of the aforesaid dichotomous position and period of detention suffered by the petitioner, we are inclined to enlarge the petitioner on bail.
6. Accordingly, we direct that the petitioner, namely, **Sarajit Bagdi**, 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, Kandi, Murshidabad and on further conditions that the

petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

8. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)