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Rejected

**Circuit Bench of
Calcutta High Court
at Jalpaiguri
Appellate Side**

C.R.M. 08 of 2019

Re: Application under section 439 of the Code of Criminal Procedure filed on 12.03.2019 in connection with Maynaguri Police Station Case No.53 of 2019 dated 24.02.2019 under sections 498A/304B of the Indian Penal Code.

In the matter of : Bapi Roy @ Basi Roy @ Babai ... **Petitioner**

Mr. Shubhankar Dutta
... For the Petitioner.

Mr.Saikat Chatterjee
... For the State.

Heard the learned advocates appearing for the respective parties.

It is submitted by the learned Advocate for the petitioner that the petitioner is the husband of the victim and he is totally innocent and has been falsely implicated in the instant case. He further submits that the petitioner is in custody since March 1, 2019.

The learned advocate for the State opposes the prayer for bail and submits that since after marriage victim/wife was subjected to cruelty by the petitioner and her in-laws and she died an unnatural death due to burn injury at her matrimonial home within 18 months of her marriage. It is further submitted

that the case is at the early stage of investigation and there is chance of hampering of investigation, if the petitioner is released on bail.

Having considered the submissions of the learned Advocates appearing for the respective parties and the materials in the Case Diary and further that the case is at the early stage of the investigation, we are not inclined to grant bail to the petitioner at this stage.

The prayer for bail is rejected accordingly.

C. R. M. 08 of 2019 is thus disposed of.

(Biswanath Somadder, A.C. J.)

(Md. Mumtaz Khan, J.)