

03.09.2020

BP/AGM
Sl.10

CRM 5667 of 2020
With
CRAN 4040 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Asansol (S), Police Station Case No. 172 of 2019 dated June 27, 2019 under Sections 498A/364/201/34/120B adding Section 302 of the Indian Penal Code.

In the matter of : Shankari Gorai & Anr...petitioners

Ms. Sreyasree Biswas
Ms. Puja Goswami
..for the petitioners.

Mr. Ranabi Roy Chowdhury
Mr. Mainak Gupta
..for the State.

Learned advocate for the petitioners submits that the petitioner no.1 is the mother in law and the petitioner no.2 is the brother in law.

Learned advocate for the petitioners submits that both the petitioners are falsely implicated in the present case and they are innocent. Therefore, further detention of the petitioners in the custody is unwarranted as the charge-sheet has already been submitted and the case has been committed to the

court of sessions.

Learned advocate for the State opposes the prayer for bail and draws attention of this court that the statement of the children as well as other relevant material including the factum of recovery of the dead body of the deceased which reflects that there are external injuries along with the opinion of the postmortem doctor as asphyxia.

We have perused the materials on record particularly the statement of the witnesses who were present at the relevant point of time and the conduct of the inmates is questionable and as such their complicity in commission of the offence cannot be ruled out.

Further considering the nature and gravity of the offence, we are not inclined to release the petitioners before the deposition of the children of the deceased is recorded. Accordingly, the prayer for bail of the petitioners is rejected.

The application for bail being C.R.M. 5667 of 2020 and C.R.A.N. 4040 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)

