

11.12.2020

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Sdas

rejected

C.R.M. 10276 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nayaghrum Police Station Case No. 78 of 2017 dated 10.08.2017 under Sections 498A/302/304B/34 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

And

In Re : Sk. Afazuddin @ Sk. Gundi @ Gundi petitioner

Mr. Maidul Islam Kayal

... for the petitioner

Mr. Rana Mukherjee

Mrs. Sujata Das

... for the State

Petitioner is in custody for three years and four months.

Learned Counsel appearing for the petitioner submits that the victim died due to hanging.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the victim was manually strangled and suffered homicidal death. Petitioner is the husband of the victim housewife.

Post-mortem report discloses a case of homicidal death. Petitioner is the husband of the victim housewife and there are prima facie materials connecting the petitioner with the alleged crime.

Under such circumstances and as delay in the present case cannot be attributed to the prosecution, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and to conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)