

06.01.2021
Item no. 25
Ct.5
FB
Rejected.

C.R.M. No.63 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Dankuni Police Station Case No. 228 dated November 19, 2020 under Sections 498A/325/326A of the Indian Penal Code.

And

In the matter of:-

Monika Das

... Petitioner

Mr. Navanil De,
Mr. Rajeshwar Chakraborty

.. for the petitioner

Mr. Saswata Gopal Mukherjee,
Mr. Bidyuit Kumar Roy,
Ms. Rita Dutta

..for the State

Mr. De, Learned Counsel, appears in support of this application for bail. It is submitted that the applicant is the mother-in-law of the victim and the allegations are against the son, the co-accused, involve alleged offences under Sections 498A/325/326A of the CrPC in connection with Dankuni Police Station Case No. 228 dated November 19, 2020.

Mr. De makes the submission that the present applicant, being the mother-in-law of the victim, stands on a different footing from that of her son, the co-accused, who is also in custody.

Bail is therefore sought on such ground coupled with the additional ground that the perpetrator of the incident is the son, the co-accused and, not the applicant.

Mr. Mukherjee, Learned Public Prosecutor (PP), produces the case diary and strongly refutes the stand taken by the petitioner. From the materials placed by the Learned PP, it is sought to be established before this Court that the alleged incident of throwing of acid on the victim took place in presence of the present applicant, mother-in-law. From the statements under Section 164 CrPC also produced before this Court, it is again sought to be established that the mother-in-law, i.e. the present applicant, was also involved in the alleged offence which culminated in the alleged offence.

Having heard the rival submissions and considering the materials placed, this Court is of the view that the grounds as pointed out by the Learned PP from the materials placed overwhelm the stand of the petitioner at this stage of consideration of her prayer for bail. This Court is further informed that the petitioner is in custody for 47days and investigation is still going on.

In the backdrop of the above discussion, this Court is persuaded to deny the relief of bail to the petitioner.

CRM 63 of 2021 stands thus **disposed of**.

All parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)