

22.02.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Barasat** Police Station Case **No.251**
Sl.50 **of 2020** dated **04.06.2020** under Sections **498A/307/326** of the
Ct.28 Indian Penal Code (G.R. Case **No.1412 of 2020**);

And

In re: Utpal Dutta & Ors.

... petitioners.

Mr. Indrajeet Bhattacharjee

... for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld.P.P.

Mr. Aniket Mitra

...for the State.

The learned advocate appearing for the petitioners submits that the petitioners are the in-laws of the victim lady and they have been falsely implicated. The alleged incident occasioned about eleven years after the marriage was solemnized. No overt act has been attributed to the petitioners. Upon conclusion of investigation charge sheet has also been filed and as such, further detention of the petitioners, who are in custody since June, 2020, is not necessary.

He further submits that the petitioner no.3 has expired during the pendency of the present application.

The learned advocate appearing for the State opposes the petitioners' prayer for bail and draws our attention to the dying declarations of the victim lady.

Having heard the learned advocates and considering the materials in the case diary, the dying declarations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the application for bail being CRM No.524 of 2021, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)