

01.03.2021
Item No.56
Ct.No.28
Subha
rejected

C.R.M. 691 of 2021
(Via Video Conference)

Mirajul Islam @ Mioraj @ Minaj @ Abdul Kalam Azad
-vs-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Itahar P. S. Case No. 187 of 2017 dated 13-07-2017 under Sections 498A/302/304B/34 of the Indian Penal Code read with Sections 3 / 4 of the Dowry Prohibition Act(G. R. Case No.1015 of 2017).

Mr. Kaushik Chattopadhaya
Ms. Bushra Khatun

... For the Petitioner.

Mr. S. G. Mukherji, ld. P.P
Ms. Aniket Mitra

... For the State.

Mr. Chattopadhaya, learned advocate appearing for the petitioner submits that the petitioner is the sole accused and he has been arrested on 26th July, 2017 and since then he is languishing in custody.

Learned advocate for the petitioner further submits that although charge-sheet was submitted in the same year but till date not even the examination of two witnesses have been

completed at the instance of the prosecution and as such, the petitioner may be released on bail on any stringent condition.

Mr. Mukherji, learned Public Prosecutor appearing for the State opposes the prayer for bail of the petitioner and submits that within six months of marriage, the unfortunate incident took place and earlier on two occasions, the prayer for bail of the present petitioner was rejected.

We have perused the materials on record including the case diary and having regard to the nature and gravity of the offence, we are not inclined to release the present petitioner on bail at this stage.

Accordingly, the prayer for bail of the present petitioner is rejected.

With the aforesaid observations, the application for bail being CRM 691 of 2021, is, accordingly, disposed of.

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.)