

08.03.2021
Court No.28
Item No. 30
Krishnendu
Rejected

CRM 725 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Kotwali P.S. Case No. 445 of 2018 dated 22.09.2018 under sections 498(A)/326/307/34/302 of the Indian Penal Code;

And

In Re : **Bidhan Nath & Anr.**

Petitioners

Mr. Soumyajit Das Mahapatra
Mr. Anindya Sundar Das
Ms. Ananya Chakraborty
Mr. Paramesh Chakraborty

For the Petitioners

Mr. S.G. Mukherjee, Id. P.P.
Mr. Partha Pratim Das
Mrs. Manashi Roy

For the State

The learned advocate appearing for the petitioners submits that the petitioner no. 1 is the husband and the petitioner no. 2 is the mother-in-law of the deceased. The marriage of the petitioner with the victim girl was solemnized about twelve years ago. The allegations levelled against the petitioners are unfounded. He further submits that from the post-mortem report, it would be evident that there is no injury caused by any blunt weapon like iron rod. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioners, who are in custody for 900 days, is not warranted in the facts and circumstances of the case.

Mr. Das learned advocate appearing for the State opposes the petitioners' prayer for bail and draws our attention to the dying declaration, the post-mortem report and the statements of

the witnesses, as recorded under section 161 of the Code of Criminal Procedure.

We have perused the materials in the case diary and, *prima facie*, we find materials disclosing direct involvement of the petitioners herein in the alleged offence. Considering the gravity of the offence and the extent of complicity of the petitioners, we are we are not inclined to exercise any discretion in favour of the petitioners. As such, their prayer for bail is rejected at this stage.

The application for bail, being CRM 725 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)