

23.03.2021

Item No.86

Ct.No.28

Subha

rejected

C.R.M. 1024 of 2021

(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection G. R. Case No.2968 of 2020 arising out of Hasnabad P. S. Case No. 463 of 2020 dated 18th July, 2020 under Sections 498A/304B/302/34 of the Indian Penal Code.

In the matter of : Sanat Mondal @ Sanat Mondal & Ors.

Petitioners.

Mr. Rahul Das

...for the petitioners.

Mr. Neguive Ahmed, Id A.P.P

Ms. Amita Gaur

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection G. R. Case No.2968 of 2020 arising out of Hasnabad P. S. Case No. 463 of 2020 dated 18th July, 2020 under Sections 498A/304B/302/34 of the Indian Penal Code.

Learned advocate for the petitioners submits that the petitioner no. 1 happens to be the father-in-law and the petitioner no. 2 is the mother-in-law of the victim/deceased.

According to the learned advocate for the petitioners immediately after their anticipatory bail was rejected, they surrendered before the trial court and since then he is in custody for 98 days.

It is further submitted that the husband who was initially arrested in connection with the instant case was granted statutory bail and the brother-in-law has been granted anticipatory bail in connection with the instant case.

Mr. Ahmed, learned advocate appearing for the State opposes the prayer for bail and submits that the victim was strangled to death when she was carrying for two months.

Learned advocate for the State also draws the attention of this court to the statement of the neighbours.

We have perused the materials on record in the case diary which include the statement of the witnesses, the post mortem report and having regard to the incriminating material appearing against the present petitioners, we are of the opinion that the petitioners are not entitled to bail, as the case has already been committed to the Sessions Court. Thus, the prayer for bail of the petitioners is rejected.

With the aforesaid observations, the application for bail being CRM 1024 of 2021 is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)

