

25.03.2021
Court No.28
Item No. 115
Krishnendu
Bail Rejected

CRM 1323 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Sakila Bibi & Anr.

Petitioners

Mr. Dipayan Kundu

For the Petitioners

Mr. S.G.Mukherjee, Id. P.P.

Mr. Partha Pratim Das

Mr. Manasi Roy

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Sagar Police Station Case No. 152 of 2020 dated 05.10.2020 under sections 498A/304B/302/34 of the Indian Penal Code, 1860.

The learned advocate for the petitioners submits that the petitioners are in custody since 7th October, 2020 and the petitioner no.1 happens to be the mother-in-law and the petitioner no. 2 is the husband of the victim/deceased. According to the learned advocate, the case is of circumstantial evidence and the incident alleged is six years after the marriage. Additionally, the learned advocate submits that as the charge sheet has already been submitted, further detention of the petitioner is unwarranted.

Mr. Das, learned advocate appearing for the State opposes the petitioners' prayer for bail and draws the attention of this Court to the statements of the child, the father of the victim and the neighbours. There are consistent statements of the witnesses that the petitioners allegedly poured kerosene and set the victim on fire.

Having regard to the incriminating materials appearing against the present petitioners, we are not inclined to release the petitioners on bail and as such, their prayer for bail is rejected.

Accordingly, the application for bail, being CRM No. 1323 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.)