

25.03.2021
Court No.28
rpan /132

C.R.M. 1367 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Joypur Police Station Case No.38 of 2020 dated 17.03.2020 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3/4 of the D. P. Act;

And

In re: **Hasina** alias **Hasena Molla** alias **Hasina Bibi**
- Petitioner

Ms. Shabana Hasin,
Mr. Siddhartha Sarkar
... for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy
... for the State

Learned advocate appearing for the petitioner submits that the petitioner is a lady and is languishing in custody for about 372 days. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner is not warranted.

Mr. Das, learned advocate appearing for the State opposes the petitioner's prayer and submits that there had been no change in circumstances subsequent to the last order of rejection of the petitioner's application for bail on 13th August, 2020. He has further drawn our attention to the several documents in the case diary, including the dying declaration. He also informs this Court that the petitioner is presently 49 years of age.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and since there had been no substantial change in the circumstances subsequent to the rejection of the petitioner's last bail application on 13th August, 2020, we are not inclined to exercise any discretion in favour of the petitioner and as such, her prayer for bail is refused at this stage.

The application for bail, being CRM 1367 of 2021, is accordingly, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)