

43. 12.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 3186 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **07/04/2021** in connection with **Patashpur Police Station Case No. 234/20** dated **11/06/2020** under Sections **498A/307/34** of the Indian Penal Code and Charge-sheet No.**286/20** dated **07/09/2020** under Sections **498A/302/34** of the Indian Penal Code.

And

In the matter of: - **Sanjoy Ari @ Sanjoy Kumar Ari**
....petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Anindya Sundar Das,
Mr. Paramesh Chakraborty,
Ms. Chumki Chowdhuri

...for the petitioner (through V.C.).

Mr. Saswata Gopal Mukherji, Ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy

...for the State.

The petitioner is the father-in-law of the victim lady who succumbed to burn injuries. Prior to her demise, she had given a *dying declaration* duly recorded in accordance with law. She has specifically mentioned that the brother-in-law and the father-in-law, i.e., the petitioner, poured kerosene on her and set her on fire. The husband was not present at the time of incident. We are told, the husband is out on bail. However, he obviously stands on a different footing.

In view of the serious nature of the charge and the material in the Case Diary including the *dying declaration* of the victim, we are not inclined to allow the petitioner's prayer for bail.

Accordingly, the application for bail being C.R.M. 3186 of 2021 is **dismissed**.

We are told that the petitioner is in custody for one year and two months. We request the learned trial Court to expedite the issue of consideration of charges to the extent possible.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)