

07.07.2021

(Via Video Conference)

Court No.28
Item No. PB-122
snandy/adas

CRM 3190 of 2021

(BAIL – REJECTED)

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 06.04.2021 in connection with Dankuni Police Station Case No. 228 of 2020 dated 19.11.2020 under Sections 498A/325/326A of the Indian Penal Code. (G.R. Case No. 1745 of 2020)

and

In the matter of: **Tamal Das**

.....Petitioner

Mr. Arup Chatterjee, Advocate

Mr. Pinaki Brata Ghosh, Advocate

.....for the Petitioner

Mr. Rana Mukherjee, Advocate

Mr. N.P. Agarwal, Advocate

Ms. Subhashree Patel, Advocate

.....for the State

The petitioner has filed the instant application for bail in connection with Dankuni Police Station Case No. 228 of 2020 dated 19.11.2020 under Sections 498A/325/326A of the Indian Penal Code.

The petitioner being the husband of the victim lady applied for bail on the premise that the mother of the petitioner, who is a co-accused, has already been enlarged on bail. It is further submitted that the victim lady did not suffer any grievous injury and the entire allegation of pouring acid on her body is concocted to take revenge against the petitioner because of fallout of the matrimonial relation.

The learned Advocate for the State submits that the victim lady suffered the acid injury, which would be reflected from the medical documents including the injury report and the aforesaid facts have been duly narrated by the victim lady in her statement recorded under Section 164 of the Code of Criminal Procedure.

After hearing the respective Counsel and on perusal of the injury report, we find that the victim lady suffered acid injuries, which also impairs her vision. Furthermore, the entire incident has been narrated by the victim lady in her statement recorder under Section 164 of the Code of Criminal Procedure, attributable to the conduct of the petitioner and the role of the mother appears to be an abettor.

We thus do not find it a fit case where the petitioner should be enlarged on bail despite the mother being a co-accused has already enlarged on bail.

The prayer for bail is **rejected**.

The application being **CRM 3190 of 2021** is accordingly **dismissed**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)