

26.07.2021
tkm/ct 32
sl no. 17

C.R.M. 3378 of 2021
(via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Thanarpara P.S case no. 116 of 2016 dated 11.12.2016 under sections 498A/494/302/34 of the IPC
And

In Re : Parmila Bibi @ Parvina Bibi @ Promila Bibi @ Parimola Bibi
..... petitioner

Md. Bani Sirail

..... for the petitioner

Ms. Faria Hossain
Ms. Baisali Basu

..... for the State

The allegations against the petitioner are under sections 498A/494/302/34 of the IPC. The petitioner is the second wife of the husband of the victim. It is submitted on behalf of the petitioner that she is innocent and the thrust of the allegation is against the husband of the victim who was responsible for her death.

Learned lawyer for the State opposes the prayer for bail and refers to the dying declaration of the victim which apparently implicates the present petitioner.

Having considered the material on record, gravity of the offence as well as the statement of the victim recorded in her dying declaration and also the fact that bail prayer of the petitioner was rejected by a co-ordinate Bench earlier we are inclined to hold that there is no change in circumstance which warrants favourable order at this stage.

Accordingly, the prayer for bail is rejected.

However, considering the protracted period of detention of the petitioner, we request the trial court to expedite the trial and conclude the same as expeditiously as possible without granting unnecessary adjournments to either of the parties.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)