

30.07.2021

Court No.28
Item No.37
(Rejected)

Akd
&
As

CRM 3514 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Panchla P.S. Case No.154 of 2019 dated 18.06.2019 under Sections 498A/302/34 of the Indian Penal Code and chargesheet submitted under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of : **Bapan Das.**

...Petitioner

Mr. Mrityunjoy Chatterjee,
Md. G. N. Imrohi.

...For the Petitioner

Ms. Faria Hossain,
Ms. Baisali Basu.

...For the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the instant application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Panchla P.S. Case No.154 of 2019 dated 18.06.2019 under Sections 498A/302/34 of the Indian Penal Code.

The petitioner is the father of the deceased, a baby of about four months. It is apparent from the record as well as the Case Diary that there was matrimonial discord between the accused and his wife who is the de-facto complainant of this case. On the date of occurrence, both of them started quarreling at about 5.00 a.m. The de-facto complainant then left her matrimonial home for a while and when she returned at about 7.00 a.m., she saw the dead body of her child lying in the room. Death was caused due to asphyxia as a result of smothering. The accused had special knowledge about the death which he could not dispel out.

For the reasons stated above, the prayer for bail of the petitioner is considered and rejected by us.

The application for bail, being CRM 3514 of 2021, is thus **dismissed**.

The trial court is directed to expedite the trial.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)