

23.08.2021

Court No.28
Item No.33
(Rejected)

Akd
&
Sb

CRM 4219 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Bolpur Police Station Case No. 41 of 2020 dated 11.02.2020 under Section 326/302/109 of the Indian Penal Code;

And

In the matter of : **Shampa Dutta**

...Petitioner

Mr. Sujoy Sarkar.

...For the Petitioner

**Mr. N. Ahmed,
Ms. Amita Gaur.**

...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 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 Bolpur Police Station Case No. 41 of 2020 dated 11.02.2020 under Section 326/302/109 of the Indian Penal Code.

A plea of sympathy has been taken by the petitioner that she had a minor daughter aged about six years, who needs her company and, therefore, the petitioner should be released on bail. The earlier application for bail was rejected in the month of August, 2020 and the instant application is made renewing the prayer for bail.

We had an occasion to peruse the dying declaration of the victim lady disclosing the complicity of the petitioner to the alleged offence, which does not inspire us to take lenient view in accepting the prayer for bail.

The prayer for bail is thus rejected.

However, since the matter has reached the stage of recording evidence, we request the learned Judge to fix the schedule for recording evidence, which should not be beyond fifteen days from the date of the communication of this order and shall thereafter take all

efforts to complete the trial within reasonable time.

The application for bail, being CRM 4219 of 2021, is thus **dismissed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)