

**CRM 4367 of 2021**

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure in connection with Goghat Police Station Case No.39 of 2021 dated 04-03-2021 under Sections 498(A)/302 of the Indian Penal Code.

- A n d -

**In the matter of : Jaganath Mallick**

.... Petitioner.

Mr. Niladri Sekhar Ghosh,  
Ms. Srimoyee Mukherjee

... For the Petitioner.

Mr. Saswata Gopal Mukherji, learned Public Prosecutor,  
Ms. Faria Hossain,  
Mr. Aniket Mitra

... For the State.

The allegation against the petitioner is that he used to torture his wife and ultimately, murdered her.

The petitioner says that he has no involvement in the death of his wife. He has been framed. He is in custody for about 180 days. Charge-sheet has been submitted. No useful purpose will be served by detaining him any further.

We have seen the material in the Case Diary including the statements of witnesses. The fact remains that the petitioner and the victim were together in the room at night. Subsequently, it was discovered that both the petitioner and the victim were lying in critically injured conditions. The victim was declared dead upon being taken to the hospital. The petitioner recovered from his injury on the throat that appears to have been self-inflicted.

In view of the gravity of the offence and the material on record, we are of the view that although charge-sheet may have been submitted, it may not be appropriate for us to grant bail to the petitioner at this stage.

Accordingly, the application for bail being CRM 4367 of 2021 is **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

( **Bivas Pattanayak, J. )**

( **Arijit Banerjee, J. )**