

CRM 4501 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pursurah Police Station Case No.190 of 2020 dated 19-11-2020 under Sections 498(A)/302/201/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

- A n d -

In the matter of : Nirmal Bag

.... Petitioner.

Mr. Ayan Bhattacharyya,
Mr. Niladri Sekhar Ghosh

... For the Petitioner.

Mr. Saswata Gopal Mukherji, learned PP,
Mr. Debabrata Chatterjee, learned APP,
Mrs. Manasi Roy

... For the State.

Mr. Sk Moinuddin

... For the defacto complainant.

The petitioner is the husband of the victim. The charge is under Sections 498A/302/201/34 of the Indian Penal Code.

The petitioner says that he is in custody since 30th November, 2020. His parents have been granted bail by this Court. He stands on the same footing as his parents.

We have seen the material in the Case Diary including the statement of the seven years old son of the petitioner and the post mortem report. Such report says that the case appears to be one of ante-mortem throttling and post-mortem hanging.

On an overall assessment of the material on record, we are of the view that the petitioner may not be similarly circumstanced as his parents. Given the nature of the

allegations and the *prima facie* incriminating material on record, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM 4501 of 2021 is, thus, **dismissed**.

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

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)