

59. 28.09.2021
Ct.32
Tanmoy
Rejected

C.R.M. 4617 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **08/07/2021** arising out of **Bhimpur Police Station Case No. 97/2021** dated **11/04/2021** under Sections **498A/326/307/34/304B** of the Indian Penal Code read with Section **4** of the Dowry Prohibition Act.

And

In the matter of: - **Mukti Sarkar**

...petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. S.G. Mukherjee, Ld. P.P.,
Ms. Faria Hossain,
Mr. Aniket Mitra

...for the State.

The petitioner is the husband of the victim lady. He is in custody since July 12, 2021. The charge is under Sections 498A/326/307/34 of the Indian Penal Code. Section 304B of the Indian Penal Code has been added subsequently.

We have seen the 'dying declaration' of the victim lady. She specifically implicates the petitioner. She stated in such 'dying declaration' that the petitioner poured kerosene oil on her and set her on fire.

In view of the incriminating material against the petitioner and his complicity in the alleged offence and in view of the nature and gravity of the alleged offence, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

Accordingly, the application for bail being C.R.M. 4617 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)