

10.12.2021.
07.
as
(Rejected)

C.R.M. 5126 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangnapur P.S. Case No.16 of 2021 dated 01.02.2021 under Sections 498A/302/34 of the Indian penal Code.

In the matter of : Abdul Alim Mondal.

...Petitioner.

Mr. Prabir Majumder.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Aniket Mitra.

...for the State.

Heard the learned Advocates appearing for the petitioner and the State.

Petitioner is in custody for over 300 days. He submits he has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the victim lady suffered homicidal death at the matrimonial home wherein the petitioner was present. Petitioner had an illicit affair with one of his sisters-in-law.

We have considered the materials on record. Prima facie involvement of the petitioner transpires from the statements of witnesses. Motive to commit the crime is also established and post mortem report shows that the victim suffered homicidal death.

In view of the aforesaid facts and the prima facie involvement of the petitioner in the alleged crime, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)