

SL. 35.
September 10, 2021.
MNS/AK

CRM 5827 of 2021

(Through Video Conference)

In Re: - An application for bail under section 439 of the Code of Criminal Procedure filed on August 27, 2021 in connection with Bharatpur Police Station Case No. 300 of 2019 dated October 28, 2019 under Sections 498A/307 of the Indian Penal Code and adding Sections 304(B)/302/34 of the Indian Penal Code.

And

In the matter of: Munjera Bewa (Bibi)

.... Petitioner

Mr. Manas Kumar Das

...for the petitioner.

Mr. Saibal Bapuli,
Ms. Zareen N. Khan,
Ms. Anami Bhattacharya

... for the State.

It is contended by learned counsel for the petitioner that the petitioner is already in custody for more than one year and eight months.

It is further submitted that, as it appears from the evidence adduced by the complainant, the alleged incident happened by accident.

However, learned Additional Public Prosecutor appearing for the State submits that not only was there a dying declaration of the victim recorded by the Doctor incriminating the present petitioner, two eye-witnesses also adduced evidence in support of the prosecution case.

In such view of the matter and considering the gravity of the offence, as well as the fact that the trial is already at an advanced stage, we are not inclined to grant bail to the petitioner.

Accordingly, CRM 5827 of 2021 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Ananda Kumar Mukherjee, J.)