

29.01.2021

Item No.6

Ct.No.28

dc.

Rejected

C.R.M. 8345 of 2020

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Sangita Gupta & Anr.**

... Petitioners.

Mr. Sandip Chakrabarty

... For the Petitioners.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick

... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioners in connection with Liluah P.S. Case No. 25 of 2019 dated 27.01.2019 under Sections 302/201/34 of the Indian Penal Code.

The learned advocate appearing for the petitioners submits that the petitioners were married six years earlier and out of the said wedlock, four children were born. The second child is presently residing with her grandparents and she is aged about five and a half years. No overt act had been attributed to the petitioners and they have been falsely implicated. Co-accused persons have already been granted bail. Upon completion of investigation, charge sheet has also

been filed and as such, further detention of the petitioners, who are in custody for about two years, is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer and submits that the victim was the fourth female child of the couple and she died from injuries. The body of the child had to be exhumed. The petitioners' prayer for bail was also rejected earlier.

We have perused the materials in the case diary including the post mortem report. Considering the magnitude of the offence, its ramifications and the extent the complicity of the petitioners in the alleged offence, we are not inclined to grant bail at this stage.

The application for bail, being CRM 8345 of 2020, is, thus, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)