

10.02.2021

Item No.10

Ct.No.28

dc.

Rejected

C.R.M. 8577 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 : **Prasenjit Manna @ Batakrishna**
... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. Kaushik Chowdhury,
Mr. Sabyasachi Hazra,
Mr. Samaresh Chandra Dhara,
Mr. Ritam Chowdhury,
Ms. Busra Khatun

... For the Petitioner.

Mr. S. G. Mukherji, Ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Moyna P.S. Case No. 210 of 2020 dated 05.08.2020 under Sections 498A/304B of the Indian Penal Code (Special Case No. 1386 of 2020).

The learned advocate appearing for the petitioner submits that the marriage between the petitioner and the deceased was solemnized four years ago. A dispute occurred since the deceased was having an extramarital affair. The lady committed suicide and no overt act has been attributed

to the petitioner. The other co-accused persons have already been granted anticipatory bail. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for 177 days, is not necessary.

Mr. Mukherji, learned Public Prosecutor appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the *post mortem* report.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the application for bail, being CRM 8577 of 2020, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)