

04.02.2021
Court No.28
Item No.13
Krishnendu
Bail Rejected

**CRM 10864 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Mahadeb Bera

Petitioner

Mr. Suvadip Bhattacharjee

For the Petitioner

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

Mrs. Faria Hossain

Mrs. Sonali Das

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Arambagh Police Station Case No. 189 of 2020 dated 19.05.2020 under sections 498A/302/304B/34 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The petitioner married the victim lady six years ago and on vague allegations, the complaint has been lodged. The petitioner is presently above fifty years of age and is languishing in custody for about 261 days. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner is not necessary.

Mr. Mukherjee, learned Public Prosecutor appearing for the State opposes the prayer for bail and has drawn our attention to the post-mortem report and other documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the post-mortem report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the application for bail, being CRM No. 10864 of 2020, is dismissed.

(Tirthankar Ghosh, J)
Chakraborty, J)

(Tapabrata