

18.03.2021

CRM 11236 of 2020

Court No.28
Item No.45

akd

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 22.12.2020 in connection with Lalgola Police Station Case No. 465 of 2020, dated 21.11.2020 under Sections 498A/304B/313 of the Indian Penal Code (G.R. Case no. 3769/2020).

And

In the matter of : **Biswajit Halder.**

...Petitioner

Mr. Nilendra Narayan Ray.

...For the Petitioner

Mr. Imran Ali,
Ms. Sima Biswas.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Lalgola Police Station Case No. 465 of 2020 under Sections 498A/304B/313 of the Indian Penal Code.

Learned Advocate appearing for the petitioner submits that he has been implicated in connection with the instant case despite the fact that his wife committed suicide at her parental house. It is further submitted that there is no material against him linking the complicity of the offence and, therefore, the petitioner may be released on bail.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the victim committed suicide within seven months of the marriage and, in fact, was carrying a baby of five months in her womb. Because of the torture having inflicted upon her both mentally and physically she was forced to commit suicide and there is a nexus of the petitioner to the complicity of the offence.

After hearing the submissions of the respective Counsels and on perusal of the materials available in the case diary including the statement of the neighbours as well as the relatives of the victim recorded under Section 164 of the Code of Criminal Procedure and

the fact that she was carrying a baby and died within seven months of the marriage, we are not inclined to grant bail to the petitioner.

The application for bail, being CRM 11236 of 2020, is thus **dismissed.**

(Harish Tandon, J)

(Tirthankar Ghosh,J.)