

04.03.2022

Court No.32
rpan /19

CRM (DB) 221 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Dankuni Police Station Case no.228 of 2020 dated 19.11.2020 under Sections 498A/325/326A of the Indian Penal Code, 1860;

And

In Re : **Tamal Das**

- Petitioner.

Mr. Sekhar Kuamr Basu,
Mr. Sandipan Ganguly,
Mr. Rohan Ojha
... for the petitioner.

Mr. Imran Ali,
Ms. Sujata Das
... for the State.

Mr. Basu, learned senior advocate appearing for the petitioner submits that the petitioner had been roped in on a purported plea that at the instigation of his mother, he has thrown acid upon the victim. The mother has already been enlarged on bail. The petitioner is languishing in custody for about 15 months and there had been no progress in trial even after last rejection of the petitioner's prayer for bail on 7th July, 2021. He further submits that no grievous hurt was caused to the victim and in the said conspectus, the petitioner may be enlarged on bail on any stringent condition since there is no possibility towards conclusion of the trial in the near future.

Ms. Das, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements

of the witnesses as recorded under Sections 161 and 164 of the Code, the seizure list and the injury reports.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, from the injury reports it appears that acid was thrown upon the victim's face and eyes which caused damage to her cornea. Considering the seriousness of the offence, its ramifications and the direct involvement of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application for bail, being CRM (DB) 221 of 2022 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)