

66 21.03.2022
(AD)
Court No.29
(Rejected)

C.R.M. (DB) 775 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Duttapukur** P.S. Case No.**749** dated **02/09/2021** under Sections **498A/302/304B/34** of the Indian Penal Code and under Sections **3/4** of Dowry Prohibition Act (corresponding to G.R Case No.3158/2021).

And

In the matter of: Sk. Riyajul

....petitioner.

Mr. Ayan Basu
Mr. Sumit Routh

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Aniket Mitra

... for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that on the previous occasion when the prayer for bail was rejected, the petitioner did not possess the post-mortem report. He draws the attention of the Court to the post-mortem report and submits that the cause of death is yet to be identified. He submits that considering the period of detention of the petitioner and the fact that the police submitted charge sheet, the prayer for bail of the petitioner should be considered. Moreover, the case is yet to be committed.

Learned Advocate appearing for the State submits that the petitioner is the husband of the deceased and was with the

deceased in the same room when the incident occurred.

Considering the materials in the case diary and considering the contents of the order dated December 20, 2021 passed in CRM 8523 of 2021 and considering the fact that there is hardly any material change in circumstance subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 775 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)