

19.07.2022

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rejected

C.R.M.(DB) No. 2383 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bongaon Police Station Case No. 359 of 2022 dated 09.04.2022 under Sections 498A/304B/302/34 of the Indian Penal Code.

In Re : Rathindranath Sen & Ors. petitioners

Mr. Mrityunjoy Chatterjee
... for the petitioners

Mr. Saswata Gopal Mukherji, learned P.P.
Ms. Faria Hossain
Mr. Anand Keshari
... for the State

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Pramita Banerjee
.... for defacto complainant

Learned Counsel appearing for the petitioners submits that petitioner no. 1 is the husband of the victim housewife while petitioner nos. 2 and 3 are her mother-in-law and brother-in-law respectively. They are in custody for more than 100 days and investigation is complete. Accordingly, they pray for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

Learned Counsel appearing for the defacto complainant also opposes prayer for bail.

We have considered the materials on record. Statements of witnesses show that petitioners tortured the victim housewife who suffered homicidal death at the matrimonial home. Various

injuries on the body of the deceased are noted in the post mortem report. This shows she was subjected to physical torture on the day of the incident.

In view of the aforesaid incriminating materials and prima facie involvement of the petitioners therein, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)