

02.08.2022

cm/ct 28

sl. no. 32

Rejected

C.R.M. (DB) No. 2573 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Burwan P.S. **Case No. 116 of 2022** dated **18.04.2022** under Sections **498A/304B/302/34** of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In Re : Huda Sk.@ Nurul Huda

..... petitioner

Mr. S. Das Mahapatra

Ms. Sweta Bhatta

..... for the petitioner

Mr. Saswata Gopal Mukherji, Ld. P.P.

Mr. Partha Pratim Das

Mrs. Manasi Roy

..... for the State

Mr. Manas Kumar Das

.... for the De-facto complainant.

Petitioner is in custody for 107 days. It is submitted he is not related to the husband of the deceased. It is further submitted has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner had been incorrectly described as Nurul Huda son of Taleb Sk. in First Information Report. He was present at the matrimonial home and when the victim was murdered.

Learned lawyer for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner had been incorrectly described in First Information Report. Statements of witnesses also show he was present at the place of occurrence when the housewife was

murdered. P.M. report corroborates the allegation of homicidal death.

In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)