

06.09.2022.
19.
as
(Rejected)

C.R.M. (DB) 3010 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 of 2021 dated 02.09.2021 under Sections 498A/302/304B/34 of the Indian penal Code and charge sheet submitted under Sections 3/4 of the Dowry Prohibition Act.

In the matter of : Sk. Riajul @ Sk. Riyajul Islam.
...Petitioner.

Mr. Suman Chakraborty.
...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Partha Pratim Das,
Mrs. Mnasi Roy.
...for the State.

Petitioner renews his prayer for bail. He is in custody for about a year. He prays for bail.

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

We have considered the materials on record. Post mortem report as well as the inquest report show victim suffered unnatural death within two years of marriage. Blood was coming out from the mouth of the victim giving an indication of homicidal death. Statements of witnesses show petitioner/husband had subjected her to torture over demands of dowry.

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

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

Court below is directed to take necessary steps to ensure the attendance of the absconding accused and in the event, his attendance cannot be ensured in spite of exhaustion of such process to declare him as proclaimed offender and commit the case to the Court of Sessions at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)