

08.09.2022
tkm/ct 28
sl no. 39-40

C.R.A.N 2 of 2022
in
C.R.A. 736 of 2019
with
CRA 385 of 2019

In Re : An application for bail under section 389 of the Code of Criminal Procedure for suspension of sentence

In Re : Ananda Bouriappellant

Ms. Meenal Sinha
Ms. S Jain

.... For the appellant in CRA 736 of 2019

Mr. Soumik Ganguli
Mr. Sourat Nandy

.... For the appellant in CRA 385 of 2019

Appellant prays for bail. It is contended evidence on record does not establish the crime. There was an earlier complaint prior to registration of FIR. Elder sister of PW 4 has not been examined. Best evidence has been withheld. Hence sentence of the appellant may be suspended and he may be enlarged on bail.

We have considered the evidence on record. Appellant is the husband of the deceased. She suffered homicidal death at her matrimonial home. PW 4, son of the deceased was an eye-witness and implicated the appellant.

In view of the aforesaid evidence on record, we are not inclined to suspend the sentence of the appellant.

CRAN 2 of 2022 is dismissed.

Paper books are prepared and the matter is ready for hearing.

Perusal of the record shows an earlier appeal being CRA 385 of 2019 was admitted on behalf of self-same appellant. Hence,

subsequent appeal being CRA 736 of 2019 is not maintainable and accordingly disposed of.

Let CRA 385 of 2019 be added to the list for hearing in the Monthly List of November 2022.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)