

28.02.2022

COURT : 01
ITEM : 26
MATTER : 439
STATUS : REJECTED
TRANSCRIBER : nandy

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (DB) 22 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on January 13, 2022 in connection with Jalpaiguri Women Police Station Case No. 34 of 2019 dated 03.04.2019 under Sections 498A/302 of the Indian Penal Code. (Sessions Case No. 115 of 2019)

And

In the matter of : **Suman Sen @ Satyajit Sen**

...Petitioner

Mr. Jaydeep Kanta Bhowmik, Advocate

...for the Petitioner

Mr. Arun Sarkar, Advocate

Mr. Tapan Bhattacharya, Advocate

...for the State

The petitioner is in custody for more than 1000 days in connection with the afore-mentioned case. The aforesaid case is lodged against the petitioner on the death of his wife who was found dead in the matrimonial home.

We have perused the statement of the minor daughter aged about six years who divulged the facts not only before the Police Officer under Section 161 of the Code of Criminal Procedure but also before the Judicial Magistrate under Section 164 of the Code of Criminal Procedure. The statement made by the minor daughter does not instill any confidence in the contention of the petitioner that he is not involved in the commission of the offence. The postmortem report would reveal that the death was caused by strangulation and ruled out the case of suicide. The statement of the minor daughter suggests the death by strangulation.

In view of the above, we do not find any ground warranting the application for bail to be allowed.

As such the prayer for bail is **rejected**.

The application being **CRM (DB) 22 of 2022** is thus **dismissed**.

Considering the age of the matter and the fact that charges have already been framed, we request the learned trial Judge to expedite the case by fixing a schedule for recording evidence which shall not exceed one month from the date of communication of this order and efforts shall be shown to bring the case to its logical conclusion within eight months thereafter.

(Harish Tandon, J)

(Rabindranath Samanta, J)