

16.01.2023
Sl. No.32
akd
[Rejected]

C. R. M. (DB) 111 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.01.2023 in connection with New Town Police Station Case No.09 dated 10.01.2012 under Sections 498A/302 of the Indian Penal Code.

And

In Re: ***Uttam Majhi***

... .. Petitioner

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Aniket Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about one year and six months. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail and submits victim-housewife was assaulted and set on fire. Petitioner absconded for a protracted period of time.

We have considered the materials on record. Petitioner is the husband of the victim-housewife. Dying declaration of the victim implicates the petitioner in the murder. He had absconded for a protracted period of time. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

