

05.04.2023
Sl. No.43
akd
[Rejected]

C. R. M. (DB) 1354 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.03.2023 in connection with Domjur Police Station Case No.386 of 2020 dated 14.08.2020 under Sections 498A/304B/34/302 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re: ***Ranjit Das***

... .. Petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder

... .. for the petitioner

Ms. Faria Hossain
Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and eight months. It is further submitted prosecution witnesses had not supported the case.

Learned Advocate for the State opposes the prayer for bail and submits case is based on circumstantial evidence. Petitioner was present in the house where his wife was burnt to death. Minor children also received burn injuries.

We have considered the materials on record. Case portrays a gruesome incident. Victim-housewife was burnt to death. Minor children also suffered injuries. Petitioner was present in the house. This gives rise to an adverse presumption against the petitioner which he is required to rebut during trial. Under such circumstances and in view of gravity of the offence, 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.)

