

17.04.2023

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rejected

C.R.M. (DB) No. 1494 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beliabera Police Station Case No. 38 of 2022 dated 28.03.2022 under Sections 498A/304B/406/34 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

And

In Re : Muktipada Bera petitioner

Mr. Gautam Banerjee

... for the petitioner

Mr. S. G. Mukherjee, learned PP

Mr. Aniket Mitra

... for the State

Learned Counsel for the petitioner submits he is in custody for 385 days. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the husband of victim housewife. He had telephonic conversation with her on the day of incident. Victim committed suicide within one month of marriage. In this backdrop petitioner cannot claim parity with other in-laws who did not have communication with the victim on the day of occurrence. Charge has already been framed. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed or recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)