

02.05.2023
tkm/ct 28
sl no.59

C.R.M. (DB) 1791 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gurap PS case no. 212 dated 4.11.2022 under sections 302/201/120B/34 IPC

And

In Re : Madhumita Pal & Anr.

..... petitioners

Mr. Navanil De
Ms. A Roy
Mr. R Chakraborty
Mr. S Ghosh
Mr. S Dey
Ms. M Mukherjee

..... for the petitioner

Ms. Anasuya Sinha

..... for the State

Petitioners submit they have been falsely implicated in the case. Petitioner no. 2 did not ordinarily reside in the house where murder was committed. They pray for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Materials on record show petitioner no. 1 had an illicit affair with the deceased. On the day of occurrence the deceased came to her house. Soon thereafter there was a hue and cry. Local people came to the spot. Upon opening the door petitioners were seen present in the room where the dead body of the victim was recovered.

In view of the aforesaid clinching materials on record onus shifts upon the petitioners to explain the circumstance in which the victim died.

Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioners.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)