

24.07.2023

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rejected

C.R.M. (DB) No. 2921 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No. 400 of 2020 dated 29.12.2020 under Sections 498A/304B/302/34 of the Indian Penal Code.

And

In Re : Tanuja Begum @ Tanuja Khatun & Anr. petitioners

Mr. Sabir Ahmed

Ms. Suman Biswas

... for the petitioners

Mr. S. G. Mukherji, learned PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Dying declaration of the victim lady moves the petitioner in the murder. Impact of the defence plea that door was closed from inside requires to be assessed in the light of the incriminating dying declaration recorded in the presence of an independent medical officer. Hence, 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.)

