

28.07.2023
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rejected

C.R.M. (DB) No. 2980 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol North Police Station Case No. 47 of 2023 dated 04.02.2023 under Sections 498A/302/120B/34 of the Indian Penal Code.

And

In Re : Purnima Mondal petitioner

Mr. Avik Ghatak
Mr. Fahad Imam

... for the petitioner

Mr. S. G. Mukherjee, learned PP
Ms. Faria Hossain
Ms. Baisali Basu

... for the State

Learned Counsel for the petitioner submits she is the step mother-in-law of the victim housewife. She is in custody for about six months. Co-accused, father-in-law is on bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. In the dying declaration victim implicated her mother-in-law. She does not stand on the same footing with the co-accused, father-in-law who is on bail. Submission that the implication of the petitioner is based on suspicion requires to be assessed in the light of the other incriminating materials on record. 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.)

