

08.09.2023

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Rejected

C.R.M. (DB) No. 3512 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Namkhana Police Station Case No. 371 of 2022 dated 06.12.2022 under Sections 498A/406/502/34 of the Indian Penal Code.

And

In Re : Ashim Singha petitioner

Mr. Gobinda Chandra Baidya

Mr. Gobinda Baidya

..... for the petitioner

Mr. Saswata Gopal Mukherjee, learned PP

Mr. Aniket Mitra

Ms. Jonaki Saha

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 273 days. It is also submitted that co-accused are on bail. Victim lady did not suffer homicidal death. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits post mortem report shows marks of injury on various parts of the body of the victim.

3. We have considered the materials on record. Statements of the witnesses show petitioner had brutally assaulted his wife and as a result she died. In view of gravity of the offence and keeping in mind the materials on record we are of the opinion petitioner cannot be treated on par with the co-accused who are on bail.

4. The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)