

23.11.2023
tkm/ct 28
sl no. 58

C.R.M. (DB) 4419 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Malda PS case no. 211 of 2023 dated 25.4.2023 under sections 302/120B/34 IPC

And

In Re : Masu Sk

...petitioner

Mr. A K Bhowmick

..... for the petitioner

Mr. Pravas Bhattacharya

Mr. M F A Begg

..... for the State

1. Petitioner submits he is the husband of the victim lady. His wife was murdered by unknown persons on the road. He lodged complaint. Subsequently, he has been falsely implicated in the case. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits petitioner, though the complainant, was involved in the conspiracy to murder his wife. He hired mercenaries to commit the murder while his wife was travelling as a pillion rider on his motor cycle.
3. We have considered the materials on record. CDRs show repeated telephonic conversations between the petitioner and the co-accused who had committed the murder. It is nobody's case that the petitioner had relationship with the said co-accused which would justify such *inter se* communication. This circumstance corroborates the prosecution case of conspiracy between the petitioner and the co-accused who murdered his wife.
4. In view of the materials on record and the nature of the crime, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)