

01.12.2023
Sl. No.66
akd
[Rejected]

C. R. M. (DB) 4477 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.11.2023 in connection with Berhampore Police Station Case No.708 of 2023 dated 01.06.2023 under Sections 341/325/307/302/34 of the Indian Penal Code. (G.R. Case No.2393 of 2023)

And

In Re: ***Saberi @ Sabari Bed***

... .. Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. Rabia Khatoon
Ms. June Modak

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that she is the mother-in-law of the deceased. It is further submitted injured witness has not implicated her. Accordingly, she prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits prayer for bail of co-accused viz. Uttam Baid i.e. father-in-law of the deceased has been turned down by this court.
3. We have considered the materials on record. Though statement of injured witness recorded under Section 164 of the Code of Criminal Procedure does not implicate the petitioner, he has explained the reason for not doing so. He contended that he had become unconscious. On the other hand, statements of other witnesses implicate the petitioner in the crime. Bail prayer of co-accused who stands on the same footing with the petitioner has been turned down by this court. Under such circumstances and in view of gravity of the

offence, we are not inclined to grant bail to the petitioner at this stage.

4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)