

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

28.08.2023

Item no.12
Court No.01
Avijit Mitra

CRM (DB) 479 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Dipankar Roy

.... petitioner

Mr. Joydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Ms. Rikta Sarkar,
Ms. Alalika Datta

....for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Arjun Chowdhury

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred in connection with Jalpaiguri Women Police Station Case No.23 of 2023 dated 20.04.2023 under Sections 498A/494/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

Mr. Bhowmik, learned advocate appearing for the petitioner submits that the alleged incident occurred about 22 years after the petitioner's marriage on 3rd August, 2010. The allegations levelled are omnibus in nature. The petitioner has already suffered incarceration for 129 days and upon investigation chargesheet has already been submitted and as such further detention of the petitioner is not necessary and he may be enlarged on bail on any stringent condition.

The learned advocate appearing for the State submits that there are strong incriminating materials on record against the petitioner. In support of such contention, he has drawn our attention to the seizure list and the *post-mortem* report.

Considering the seriousness of the offence, the manner in which the offence has taken place and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused, at this stage.

The application for bail CRM (DB) 479 of 2023 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Lapita Banerji, J.) (Tapabrata Chakraborty, J.)