

11.01.2024.
56.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 69 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bongaon P.S. Case No.359 of 2022 dated 09.04.2022 under Sections 498A/304B/302/34 of the Indian Penal Code.

In the matter of : **Rajat Sen @ Rajat Baran Sen**
@ Basi & Anr.

... Petitioners.

Mr. Tuhin Chatterjee,
Mr. S. Bhattacharyya.

...for the Petitioners.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Arani Bhattacharyya.

...for the State.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas.

...for the de-facto complainant.

1. Petitioners are the father-in-law and brother-in-law of the victim housewife. They are in custody for one year and nine months and over one year respectively. It is contended they have been falsely implicated. Accordingly, they pray for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits victim was tortured. Marks of injuries are found on her body as per post mortem report.

3. Learned Advocate for the de-facto complainant also opposes the bail prayer.

4. We have considered the materials on record. Statements of witnesses show victim has been tortured by her husband and in laws. Marks of injuries are found on her body. Mother-in-law who is a lady was granted bail.

Petitioners do not stand on the same footing. Trial has already commenced.

5. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

6. Accordingly, the prayer for bail of petitioners is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)