

07.02.2024

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rejected

C.R.M.(DB) No. 384 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 525 of 2020 dated 15.10.2020 under Sections 498A/307/34 of the Indian Penal Code and charge-sheet submitted under Sections 498A/304B/34 and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Hasanur Jaman Sk. @ Hasan petitioner

Mr. Prabir Majumder

Mr. Snehansu Majumder

....for the petitioner

Mr. Debasish Roy, learned PP

Mr. Navanil De

... for the State

1. Liberty is given to correct the cause title.
2. Heard the learned Counsels for the parties.
3. We have considered the materials on record.

Petitioner is the husband of the victim lady. Victim lady made a dying declaration before the attending doctor implicating the petitioner in her murder. Trial is in progress. Bail prayer of the petitioner was rejected earlier on merits. Offences, if proved, would attract mandatory life imprisonment. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. Trial court is directed to fix schedules at short intervals and conclude the trial at an early date preferably within one year from the next date fixed for recording evidence. Trial court shall ensure attendance of the doctor and other witnesses who recorded dying declaration of the victim.

6. Parties shall co-operate with the trial and communicate this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)