

07.03.2024
Sl. No.24
akd
[Rejected]

C. R. M. (DB) 735 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.02.2024 in connection with Kharagpur (Town) Police Station Case No.421 of 2023 dated 03.09.2023 under Sections 498A/302/304B/323/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.814 of 2023)

And

In Re: **Sk. Babul**

... .. Petitioner

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdous
Mr. Mofakkerul Islam
Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan
Md. Bani Israil

... .. for the petitioner

Mr. Joydeep Roy .. Jr. Govt. Advocate
Mr. Sandip Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 186 days. It is further submitted victim lady had not been murdered. Post mortem report shows she died due to ante mortem hanging. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statement of the relative of the deceased shows petitioner had assaulted his wife i.e. the victim and hanged her with a ligature. Post mortem report shows presence of multiple injuries apart from the ligature mark. This corroborates the prosecution allegation of homicidal death. Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

