

13.03.2024
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rejected

C.R.M.(DB) No. 791 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarh Police Station Case No. 171 of 2020 dated 01.03.2020 under Sections 498A/326/307 of the Indian Penal Code adding Section 302 of the Indian Penal Code.

In Re : Sri Subrata Biswas And
 petitioner

Mr. Debasis Kar
 for the petitioner

Ms. Amita Gaur
 ... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than three years. It is also submitted there is delay in trial and co-accused is on bail. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner is the principal accused.

3. We have considered the materials on record. Petitioner is the husband of the victim lady. Dying declaration of the victim discloses petitioner had set her on fire. Petitioner does not stand on the same footing with co-accused who are on bail. Delay in the matter was engineered by the defence. Offences, if proved, would attract mandatory life imprisonment. Accordingly, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)