

11.
Court
No.28

14.06.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1609 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Itahar Police Station Case No. 113/2023** dated **09.04.2023**.

And

In the matter of: - **Soriful Haque @ Saiful Haque @ Saifulla**
...petitioner.
Ms. Devipriya Mitra, Adv.
...for the petitioner.

Ms. Amita Gour, Adv.,
Mr. Subham Kanti Bhakat, Adv.
...for the State.
Mr. F. Kazi M. Rahman, Adv.
...for the *de facto* complainant.

The petitioner is one of several accused persons. The allegation is that the petitioner used to torture his wife. His wife left the matrimonial home and went to reside with her parents. The petitioner went to his in-law’s house and assaulted his wife. The petitioner also hit the grandmother of his wife with an iron rod and killed her.

The petitioner says that several accused persons have been released on bail. He stands on the same footing as them. None of the charge-sheeted witnesses, 21 in number, has been examined till date. He should be released on bail on appropriate terms and conditions.

Learned Advocate for the State opposes the prayer for bail. Our attention is drawn to statements of witnesses recorded

under Section 164 of the Code of Criminal Procedure, 1973, including the statement of the mother-in-law of the petitioner. The petitioner has been clearly named as the principal assailant.

In view of the the incriminating material against the petitioner, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The application being CRM (DB) 1609 of 2024 is accordingly dismissed.

However, since the petitioner has been in custody for about one year and two months, we request the learned Trial Court to expedite the trial to the extent the business of the Court may permit and bring the same to its logical conclusion as soon as possible.

The parties shall communicate this order immediately to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)