

34.
Court
No.28

11.06.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1628 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Panrui Police Station Case No. 07/2024** dated **13.01.2024**.
And
In the matter of: - **Nakibuddin @ Md. Nakibuddin**

...petitioner.
Mr. Siddhartha Ruj, Adv.
...for the petitioner.

Ms. Minoti Gomes, Adv.,
Mr. Akash Ganguly, Adv.
...for the State.

The petitioner prays for bail. He says that he is in custody for 151 days.

The petitioner says that he had no intention of harming his wife. It was more of an accident. There is no such incriminating evidence against him as would justify his continued detention even after completion of investigation and filing of charge-sheet.

Learned Advocate for the State produces the case diary and draws our attention to the relevant material therein.

We have seen the statement of the victim wife recorded under Section 164 of the Code of Criminal Procedure, 1973, as also the injury report. The victim lady categorically stated that the petitioner tried to pour acid into her mouth. When she fought and withdrew herself, some acid fell on her hand causing injury.

On an overall consideration of the facts and circumstances of the case and finding *prima facie* incriminating evidence against the petitioner and given the heinous conduct of the petitioner, we are not inclined to extend the privilege of bail to the petitioner, at this stage.

The application being CRM (DB) 1628 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)