

30.7.2024
Ct. No. 6
SL No. 60
SB /
Tanmoy

C.R.M. (DB) 2186 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bizpur** P.S. Case No. 420 of 2022 dated **17.12.2022** under Sections 498A/304B/34 of the Indian Penal Code read with Section 3 / 4 of D.P. Act.

And

In the matter of: Aloka Sharma & Anr.

Mr. Koustav Bagchi
Mr. D. Ghosh
Ms. Priti Kar ...for the Petitioners

Mr. Debasish Roy, Ld. P.P.
Mr. Bidyut Kr. Roy
Mr. Dipankar Mahato for the State

Mr. Apalak Basu
Mr. Nazir Ahmed
Ms. Sanghamitra
Mr. S. Mukherjee ... for the de facto complainant

1. Petitioners are the sister-in-law and mother-in-law respectively of the victim lady. They are in custody for 592 days. It is contended they did not play any role in the murder of the housewife. Petitioner no. 1 has two minor children and there is no one to take care of them. Accordingly, they pray for bail.
2. Learned public prosecutor opposes the bail prayer. He contends the petitioner and the other in-laws demanded dowry. Dowry was not paid. Thereafter the housewife was strangled at the matrimonial home. Petitioner and the in-laws were present at the time of occurrence. Trial has considerably progressed and petitioners were identified by witnesses during trial.
3. Learned counsel for the de facto complainant also opposes the bail prayer.
4. We have considered the materials on record. The victim housewife had been strangled at the matrimonial home. Petitioners being the mother-in-law and sister-in-law were present at the place of

occurrence. It was within their special knowledge how the victim was murdered. Trial has considerably progressed and the Public Prosecutor assures this Court that the trial shall be concluded within six months from the next date fixed for recording evidence subject to co-operation from the defence.

5. Under such circumstances, we are not inclined to grant bail to the petitioners at present. We request the Judge-in-Charge to record the prosecution evidence in accordance with law and parties shall co-operate with the trial court in that regard.
6. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)