

05.09.2024
Item no. 86.
Court No.28.
AB
(Rejected)

CRM (DB) 2513 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Naihati P. S. Case No.59 of 2024 dated 24.2.2024 under Section 498A/326 307/506/34 of the Indian Penal Code

And

In the matter of : Hemanta Pal
@ Hemanta Paul @ Hemant Pal
.....Petitioner.

Md. Kutubuddin
Mr. Santanu Debroyfor the Petitioner.

Mr. Sandip Chakraborty
Mr. Atulya Sinhafor the State.

Dictated by Arijit Banerjee, J.

1. The allegation is of murder. The petitioner is the husband of the victim lady. She died out of burn injury.
2. The petitioner says that he is in custody for 190 days. Investigation is complete. Therefore, he should be granted bail.
3. Opposing the prayer for bail, learned State Counsel draws our attention to a dying declaration of the victim as also the statements of the victim's son and sister recorded under Section 164 Cr.P.C. All the said materials prima facie implicate the petitioner as the culprit.

4. In view of the serious nature of the offence and the prima facie incriminating material against the petitioner, we are not inclined to grant bail to him, at this stage.
5. The prayer for bail is, accordingly, rejected.
6. CRM (DB) 2513 of 2024 is dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)