

15.01.2024
tkm/ct 28
sl no. 48

C.R.M. (DB) 4671 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Shasan PS case no. 93 of 2021 dated 19.4.2021 under sections 498A/326/307 IPC and section 302 IPC

And

In Re : Anowara Bibipetitioner

Mr. Imtiaz Ahmed
Mrs. G Firdous
Mr. M Islam
Mr. Sk. Saidullah
Mr. Mitun Mondal
Mr. Md. Arsalan

..... for the petitioner

Mr. S S Imam
Mr. Arabinda Manna

..... for the State

1. Petitioner contends she is the mother-in-law of the victim lady. She is in custody for more than two years. She prays for bail.

2. Learned lawyer for the State opposes the bail prayer and submits report.

3. We have considered the materials on record. From the report it appears delay was due to systemic reasons, that is absence of the presiding officer in court. Dying declaration of the deceased wife implicates the petitioner in the murder.

4. Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, prayer for bail is rejected.

6. We request the prosecution to appoint public prosecutor promptly and proceed with the trial with utmost expedition.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)