

03.01.2024.
41.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4814 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Paikar P.S. Case No.293 of 2023 dated 28.09.2023 under Sections 498A/326/307/34 of the Indian Penal Code read with Sections 3/ 4 of the D. P. Act and subsequently adding Section 302 of the Indian Penal Code.

In the matter of : **Salam Mohammad & Anr.**
... Petitioners.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Diptangshu Basu.
...for the Petitioners.

Mr. Arijit Ganguly,
Mr. Nirupam Dhali.
...for the State.

1. Learned Counsel for the petitioner submits petitioners are the husband and the elder brother-in-law of the victim lady. It is contended they have been falsely implicated. Accordingly, they pray for bail.
2. Learned Advocate for State opposes the bail prayer.
3. We have considered the materials on record. Dying declaration of the victim directly implicates the petitioners in murder.
4. In view of gravity of offence and the materials implicating the petitioners in the crime, we are not inclined to grant bail to the petitioners at this stage.
5. Accordingly, the prayer for bail of the petitioners is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)