

19.08.2024
Court No.1
SL No.5
AP/akb

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 310 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Rajganj** P.S. Case No. **20 of 2021** dated **16.01.2021** under Sections **498A/307** of the IPC read with Sections **3/4** of the Dowry Prohibition Act and adding Section **302** of the IPC.

And

In the matter of: **Sumitra Roy @ Sunita Roy**

....Petitioner.

Mr. Jaydeep Kanta Bhowmik
Ms. Debi Sarkar
Mr. Shubham Kumar
Ms. Sayantani Das

...For the Petitioner.

Mr. Nilay Chakraborty
Mr. Arjun Chowdhury

...For the State.

1. The application for bail is canvassed on the ground that the co-accused persons, being father-in-law, mother-in-law, nephew, another elder brother-in-law and his wife have been granted bail by Coordinate Benches of this court on 19th June, 2021 (CRM 623 of 2021) and 20th July 2021 (CRM 668 of 2021).

2. Learned counsel for the State opposes the prayer for bail and submits that the petitioner has been absconding for about two years.

3. This court has very carefully considered the dying declaration of the victim and the statement under Section 164 of the minor son of the victim. The said two statements corroborate that the petitioner along with her husband, who is the sister-in-law of the victim and whose husband is another older brother of the victim's husband, were the persons, who are actually poured kerosene and lit the victim on fire.

4. In the above circumstances, this court does not find that the petitioner stands in same footing as the other co-accused persons, who were enlarged on bail.

5. In the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. The application for bail is, thus, rejected.

7. It is expected that the trial commences and concluded expeditiously.

(Rajasekhar Mantha, J.)

(Ajoy Kumar Mukherjee, J.)