

03.04.2025

Item No.52

Ct.No.34

rc.

Reject

C.R.M. (DB) 608 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga Police Station Case No. 547 of 2017 dated 11.12.2017 under Sections 326/307/34 of the Indian Penal Code.

And

In Re : **Mosaraf Sk. @ Mosarof Sk.**

... Petitioner

Mrs. Shabana Hasin

... for the Petitioner

Mr. Avishek Sinha

Ms. Suchismita Dutta

... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody for 153 days. He is the brother-in-law of the victim. The mother-in-law who is the co-accused herein has been granted bail. The petitioner seeks bail on merits as well as on the ground of his detention.

Learned counsel for the State produces the Case Diary and opposes the prayer. Learned counsel submits that the trial was delayed since the petitioner was absconding for a long time. The case could be committed and charge framed only upon his apprehension.

I have perused the material on record.

The petitioner appears to be the principal accused who ignited the victim leading to her death due to burn injuries.

The petitioner has been named by the victim in her dying declaration. Sufficient incriminating material has transpired against him during investigation.

Upon consideration of the same, this Court is not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

The application is disposed of.

Case Diary is returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)