

24.02.2025
Ct. No. 26
Item No.132
SB

C.R.M. (DB) No. 3531 of 2024

In Re: - An application for bail under Section 439 of Code of Criminal Procedure / 483 of the B.N.S.S. 2023 in connection with Goghat P.S. Case No. 39 of 2021 dated 04.3.2021, under Sections 498A/302 of the IPC.

In the matter of : Jagannath Mallick petitioner

Mr. Subhajit Chatterjee
Mr. Mrinal Kanti Biswasfor the Petitioner

Ms. Shila Afrin Khan
Ms. Manasi Royfor the State

1. Petitioner is in custody for three years and ten months.
2. Petitioner renews the prayer for bail on the principles of Article 21 of the Constitution of India.
3. Wife of the petitioner was brought dead to the hospital. Post-Mortem Report of the wife of the petitioner records a number of injuries inflicted on such person.
4. Trial is in progress.
5. It is for the petitioner to explain the cause of death of his wife since the death occurred at the matrimonial home of the victim.
6. Out of twenty eight prosecution witnesses twelve stands examined at the trial.
7. Enlarging the bail to the petitioner at this stage may be inimical to the trial.
8. In such circumstances, we are not inclined to invoke the principles of Article 21 of the Constitution of India to enlarge the bail to the petitioner.
9. C.R.M (DB) 3531 of 2024, is accordingly rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)