

50. 10.01.2025
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3931 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of Noapara Police Station Case No. 95/2024 dated 23.6.2024.
And

In the matter of: - **Jitendra Shaw @ Jitu & Anr.**

...petitioners.

Mr. Tirthankar Dhali
Mr. Sayantan Adhya
Mr. P. Chowdhury
Mr. N.H. Choudhury

...for the petitioners.

Mr. Partha Pratim Das
Mr. Dipankar Mahata

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners are the biological father and stepmother respectively, of the victim boy. The boy was of thirteen years of age at the time he committed suicide.
2. The petitioners say that they have no role to play in the alleged crime. They are in custody for 192 days. They pray for bail.
3. Learned State Counsel, opposing the bail prayer, draws our attention to the statements of the neighbours recorded under Section 161 of the Code of Criminal Procedure, 1973. They squarely say that the petitioners used to mete out physical torture to the victim boy. The medical report also *prima facie* supports the prosecution case.

4. In view of the aforesaid, we are not inclined to entertain the petitioners' prayer for bail, at this stage. The prayer for bail is rejected.
5. The application being CRM (DB) 3931 of 2024 is accordingly dismissed.
6. However, since the petitioners have been in custody for quite some time, we request the learned Trial Court to expedite the trial to the extent possible and conclude the same on an early date.
7. Parties to communicate this order to the learned Trial Court immediately.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)