

**In the Court of the Additional District & Sessions Judge,
Bishnupur, Dist.- Bankura**

Present

Shri Pradip Kumar Adhikary, WBJs,
J O Code (UID No.) - WB916,

CNR No.- WBBK 0500 0322 2026
SC Case No.- 67 of 2026
(SC Case No.- 01(04) of 2026)
ST Case No.- 01 (05) of 2026
Indas PS Case No.- 12 of 2026 dated 08/01/2026
Charg-sheet submitted punishable

under sections 126 (2) / 118(2) / 85 / 80 / of the Bharatiya Nyaya Sanhita (BNS),
103(1) / 3(5) 2023

Similar sections 341 / 326 / 498A / 304B / of the Indian Penal Code (IPC), 1860
302 / 34

State

Represented by Ld. Panel PP-in-Charge Shri Gurupada Bhattacharyee
v.

Joydeb Roy @ Joydev Roy and Dhananjoy Roy @ Dhananjay Roy

Represented by Ld. Advocate Shri Prasanta Mondal

Order No.- 08
12/06/2026

The case record is taken up by way of put up petition.

The Ld. Advocate Shri Prasanta Mondal on behalf of the accused **Joydeb Roy @ Joydev Roy** filed an application praying for bail of the accused on the ground that the co-accused Dhananjoy Roy, son of this accused died on 10/06/2026 and funeral ceremony is schedule to be performed on 13/06/2026. In the above circumstances the Ld. Advocate has prayed for bail of the accused.

Heard.

Re-iterating the grounds as advanced in the bail application the Ld. Advocate has submitted that he is not arguing on the merit of the case, he has just prayed for consideration of the bail application on humanitarian ground since son of the accused died and he can perform funeral ceremony of his son.

Ld. PP-in-Charge has raised objection. He has submitted that the accused in judicial custody is the principal accused who is husband of the deceased and the co-accused who alleged to be died is son of the deceased. There is direct allegation against the principle accused / husband. There is dying declaration where the deceased specifically narrated the incident. In the above circumstances, the Ld. Panel PP-in-Charge has prayed for rejection of the bail application.

Considered the materials on record including the case diary.

Upon such consideration and hearing it appears that although the accused **Joydeb Roy @ Joydev Roy** is in custody since 08/01/2026 but there are reasonable grounds for believing that the accused has been guilty of offence punishable with death.

This is case of death of a woman by burning. The accused in judicial custody is the husband of the deceased as well as principal accused.

There is dying declaration of the deceased.

Charge-sheet has already been submitted and a schedule for evidence has already been done starting from 18/06/2026.

So, considering the nature of allegation, gravity of the offence, enormity of the crime, heinousness/seriousness of the accusation, circumstances in which it was committed, severity of the punishment in the event of conviction, the nature/character and strength of

evidence in support of the accusation/charge, dying declaration of the deceased, post-mortem report, seizure list, etc. and the danger of justice being thwarted with by grant of bail, circumstances peculiar to the accused, the larger interests of the public or the State, the prayer for bail is refused at this stage.

However, since the co-accused i.e. son of the principle accused died and his funeral ceremony is schedule to be performed on 13/06/2026 as submitted, the accused is permitted to attend the said ceremony.

The Superintendent of the concerned Correction Home and the Inspector-in-Charge / Officer-in-Charge of the concerned PS are directed to make necessary arrangement and escort, as the case may be, so that the principal accused / husband of the deceased in judicial custody namely **Joydeb Roy @ Joydev Roy** may attend the funeral ceremony of the deceased/accused **Dhananjoy Roy @ Dhananjay Roy on 13/06/2026 at their residence.**

The accused shall be returned back at the concerned correctional home by 5-00 PM.

To date i.e. 18/06/2026 for compliance report.

Return the case diary.

Let a copy of this order be sent to the Superintendent of the concerned correctional home and the Inspector-in-Charge / Officer-in-Charge of the concerned PS for compliance.

Let another copy of this order be sent to the Court Inspector for co-ordination between the Superintendent of the concerned Correction Home and the Inspector-in-Charge / Officer-in-Charge of the concerned PS.

The Bench Clerk is directed to do the needful at once.

Typed by me

Additional District & Sessions Judge,
Bishnupur, Dist.- Bankura

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