

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, DINHATA

Present : Sri Mahananda Das, (J.O. Code : WB00626)
Additional Sessions Judge, Tufanganj in-charge of
Additional Sessions Judge, Dinhata.

Bail Application No. 53 of 2026
CNR No. WBCB-05-000 180 -2026
Arising out of G.R case no. (I)90 of 2026

COPY OF ORDER

Order No. 03,
Dated : 27-03-2026

This is an application under section 483 of BNSS filed by the accused/petitioner **Arati Pramanik @ Barman** in connection with G.R Case No. (I)90 of 2026 corresponding to Sitai P.S Case No. 28/2026, dated-27-02-2026, under sections-103(1)/3(5) of BNS.

Ld. Advocate for the accused submitted that the accused is falsely implicated in this case and she is innocent. Ld. Advocate for the accused person further submitted that the accused person is in judicial custody for considerable period and she may be released on bail. Ld Advocate for the accused further submitted that no bail application has been filed or pending before the Higher court.

The I/O of this case, namely, PSI Tapos Kumar Ray files a petition praying for bail objection against two accused persons on the ground stated therein.

Heard Ld. P.P in-charge who raises objection.

Perused the case diary.

From the bail objection prayer as given by the I/O today shows that the minor child of the dead woman is still terrified of his father and grandmother. From the case diary it reveals that two confessional statements of Sushanta Pramanik @ Barman were recorded by the I/O on 27-02-2026 and 03-03-2026 wherein the age of the instant accused person have been stated differently. It may be a typological error. The confessional statement of accused Sushanta Pramanik @ Barman as made on 27-02-2026 and 03-03-2026 differ from each other to a little extent. Probably the I/O of this case is gathering some more inputs to cull out the truth. What seems to be disturbing to this Court is the instant bail objection prayer of the I/O coupled with the fact as stated by the said accused person Sushanta Pramanik @ Barman at the time of his confession on 03-03-2026 wherein he categorically stated that he drove out his son Ayush from the house to play. It is also to be noted that the alleged incident took place at night and the accused Sushanta Pramanik @ Barman to camouflage sent his son out of the house at night to play to kill his wife with the help of his mother. The I/O of this case took every attempt, as far as possible by him to produce two witnesses before the Court of Ld. ACJM, 2nd Court, Dinhata for recording their statements under section 183 of BNSS but he took no attempt to produce said Ayush before the concerned Ld. Court to record his statement under section 183 of BNSS and the reason for the same is best known to the I/O. It is also to be noted that in the Postmortem examination report of the victim vide PM No. 65/2026 dated 27-02-2026 the nature of injury on the scalp and skull and vertebrae. From the opinion of the said medical officer who conducted the postmortem examination of the deceased opined that "death was due to asphyxia due to effect of

hanging by cloth like material and injuries over head was caused by blunt object with moderate weight and the death appeared primarily to be homicidal in nature. Circumstantial corroboration will be done by Investigating Officer.” From the above discussion this Court wanted to see the statement of the said child of the victim but this Court does not want to enter the arena of investigation. At this stage the bail prayer as made for the female accused person is rejected with a note that the case diary be placed before this Court or the Ld. Trial court to observe the modus operandi of the I/O in respect to the lacuna as stated above.

Considering the fact that the instant bail application of accused person is **rejected.**

This Bail Application thus, stands disposed of.

Return the LCR and C/D.

Let a copy of this order be sent to the Ld. A.C.J.M, 2nd Court, Dinhata and the I/O of this case, namely, PSI Tapos Kumar Ray of Sitai P.S for information.

Dictated & corrected by me,

Sd/-
Additional Sessions Judge,
Dinhata.

Sd/-
Additional Sessions Judge,
Dinhata.