

11.11.2019
SI No.39
KB/GSD

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM 962 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.9.2019 in connection with Dinhata Women Police Station Case No. 43 of 2019 dated 6.8.2019 under Sections 498A/328/34 of the Indian Penal Code and corresponding to G.R. Case No. 333 of 2019.

And

In Re: Mafizul Haque @ Mofijul Hoque

... ... Petitioner

Mr. Sudip Guha

... for the petitioner.

Mr. Ujjwal Laksom

Ms. Namrata Das

... ... for the State.

Learned Counsel appearing on behalf of the petitioner submits as follows. There is a delay of about eight days in lodging the First Information Report. The alleged incident took place after nearly six years of marriage.

Learned Counsel appearing on behalf of the State submits as follows. The delay in lodging the FIR was explained adequately. The medical records show that the petitioner had to be admitted in hospital for two days after suffering from administering of poison.

Considering the nature of allegations and the prima facie complicity of the present petitioner in the commission of the alleged offence, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail being CRM 962 of 2019 is, thus, rejected.

Certified website copies of this order if applied for, be immediately made available to the parties, subject to compliance with all requisite formalities.

(Jay Sengupta, J.)

(Subrata Talukdar, J.)