

30.09.2020

Court No.16
Item No.17

(REJECTED)

akd

CRM 6846 of 2020

With

CRAN 1 of 2020

In Re:- An application for bail under section 438 of the Code of Criminal Procedure filed on 09.09.2019 in connection with Bhadreswar Police Station Case No. 137 of 2020 dated 09.06.2020 under Sections 326/307/494/195A/325/34 the Indian Penal Code.

And

In the matter of : **Amanatullah Khallaque.**
...Petitioner

Mr. Arunava Ganguly.
...For the Petitioner.

Mr. Prasun Kumar Datta,
Mr. Nirupam Dhali.
...For the State.

Petitioner undertakes to affirm and stamp the petition/ application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 01 of 2020 is accordingly disposed of.

It is submitted by the learned Advocate for the petitioner that the petitioner has been falsely implicated in the instant case in consequence of strong matrimonial dispute.

Learned Additional Public Prosecutor raises objection against the prayer for anticipatory bail taking support of the materials, collected in the case diary inclusive of the injury report of the victim.

We are apprised of a situation where the instant petitioner being the husband was favoured with an anticipatory bail in connection with a case, already lodged by the de facto complainant/wife on the ground of cruelty and some other allegations. Even after being favoured with the

anticipatory bail, the petitioner/husband again subjected his wife to cruelty, and attempted to kill her by pouring kerosene oil and also by throttling.

Having heard the learned Advocates of both sides and bearing in mind the repetitive nature of incident having taken place consequent upon the anticipatory bail being granted to the petitioner/husband in an earlier case, we are not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is thus considered and rejected.

The application for bail, being CRM 6846 of 2020, is accordingly dismissed.

(Subhasis Dasgupta, J)

(Harish Tandon, J)