

29.9.2020
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CRM 7272 of 2020
with
I A No. CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bishnupur P.S. Case No. 83 of 2020 dated 27.8.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of: **Proloy Kundu**

....Petitioner.

Mr. Subhrajyoti Ghosh

...for the Petitioner.

Mr. Saibal Bapuli, APP,
Mr. Arani Bhattacharyya

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Learned advocate for the petitioner submits that the allegations made in the First Information Report are against the aunt-in-law, namely, Tuli Das and not against the present petitioner who happens to be the husband of the deceased.

Learned advocate for the State opposes prayer of anticipatory bail and draws attention to the memorandum of offence.

We have perused materials on record and we find that the marriage was solemnized two and half months before the incident occurred and we also find from the opinion of the post

mortem doctor that the victim committed suicide after being physically assaulted. In view of the nature and gravity of the offence, we are not inclined to extend the relief under Section 438 of the Code to the present petitioner.

Accordingly, prayer for anticipatory is rejected.

CRM 7272 of 2020 and CRAN 1 of 2020 are disposed of.

(Subrata Talukdar, J.)

(Tirthankar Ghosh, J.)