

17.12.2020
Court No.28
SL No.83
AP

CRM 8860 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Midnapore AW P.S. Case No.97/2020** dated **13.09.2020** under Sections **498A/323/307/354/406/34** of the Indian Penal Code and Sections **3/4** of the D.P. Act.

And

In the matter of: **Sk. Rahan**

....Petitioner.

Mr. Md. Ashraf Ali,
Ms. Sabnam Laskar

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

...for the State.

Ms. Sibangi Chattopadhyay

...for the de facto complainant.

It is submitted on behalf of the petitioner that there was family dispute between the parties and the mother-in-law of the victim was also assaulted.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the statement of the victim recorded under Section 164 of the Code of Criminal Procedure disclose misbehave by one of her in-laws. Since, she objected to such unholy advance and the petitioner husband assaulted her brutally.

We have considered the materials on record. Allegation of assault is supported by medical evidence and hospitalization. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)