

15.02.2021
Item No.228
Ct.No.28
Subha
rejected

C.R.M. 414 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In the matter of : Prasenjit Dalai ... Petitioner.

Mr. Arnab Saha ... For the Petitioner.

Mr. Saswata Gopal Mukherji, Ld. P.P.
Mr. Aniket Mitra
... For the State.

Apprehending arrest in connection with Ramnagar Police Station Case No. 319 of 2020 dated 17.12.2020 under Sections 498A/304B/302/34 of the Indian Penal Code read with Section 3 of the Dowry Prohibition Act, 1961, the present application has been filed.

Learned advocate appearing for the petitioner submits that the petitioner is the brother-in-law of the deceased and is innocent of the charges and he has been falsely implicated in the instant case.

Learned advocate appearing for the petitioner stresses on the issue that the petitioner along with his

brother had been running a tea stall in a different location at Kolkata and the incident happened at Purba Medinipur.

Mr. Mitra, learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of this court to the different statements of the witnesses and further submits that several accused persons are still absconding and the deceased had to resort to end her life within one year and three months of her marriage.

We have taken into account the materials available in the case diary and the complicity of the present petitioner in the alleged offence.

Additionally, we have considered the fact that all the accused persons are absconding, although the case was initiated in the month of the December, 2020.

Having regard to the complicity of the present petitioner as is evident from the case diary, we are of the opinion that the petitioner is not entitled to the privilege of anticipatory bail.

The application being CRM 414 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)