

12.04.2021

CRM 777 of 2021

Court No.28

(Via Video Conference)

Item 287

sg

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pukhuria Police Station Case No. 356 of 2020 dated 17.10.2020 under Sections 498A/328/307 of the Indian Penal Code and under Sections 3 and 4 of the D.P. Act.

Nasiruddin Sk @ Nasiruddin
Versus
The State of West Bengal

Mr. Sagar Saha, Adv.

...for the Petitioner.

Mr. Tapan Dutta Gupta, Adv.

Mr. Parvej Anam, Adv.

...for the de-facto complainant

Mr. S. S. Imran, Adv.

Mr. S. Kundu, Adv.

...for the State.

The learned Advocate for the petitioner submits that the petitioner has been falsely implicated in the instant case and that too after four years of marriage.

The learned Advocate for the de-facto complainant is present and opposes the application.

The learned Advocate for the State produces the case diary and draws the attention of this Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as well as the medical report.

Having regard to the materials available in the case diary, more particularly the administration of poison for which the custodial interrogation of the petitioner may be warranted in the facts and circumstances of the instant case.

As such the prayer for anticipatory bail is rejected.

CRM 777 of 2021 is accordingly disposed of.

All parties shall act on the server copy of the order.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)

