

12.08.2021

Court No.28
Item No.282
(Rejected)

Saswata

(Via Video Conference)

CRM 1475 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Talpattighat Police Station Case No. 98 of 2020 dated 04.10.2020 under Section 498A of the Indian Penal Code added with Section 306 of the Indian Penal Code (G.R.Case No. 1487 of 2020);

And

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

...Petitioner

Mr. Amal Krishna Samanta

...For the Petitioner

Mr. Abhra Mukherjee

Mr. Gautam Banerjee

...For the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Talpattighat Police Station Case No. 98 of 2020 under Section 498A of the Indian Penal Code added with Section 306 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

Having heard the learned Counsel for the petitioner and the State and on perusal of the case diary, it is found that there are sufficient materials against the petitioner regarding the allegation of torture inflicted upon his wife by him. Even on 1st October 2020, she was physically assaulted and the petitioner rebuked her saying that she should die. On the same date, during noon, she committed suicide pouring kerosene oil on her body and setting herself ablaze.

Considering such materials in the case diary, we find that this is not a fit case where the petitioner should be granted anticipatory bail.

As such, the prayer for anticipatory bail is **rejected**.

The application for anticipatory bail being CRM 1475 of 2021 is, thus,
dismissed.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)