

38 30.07.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 1993 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **19.02.2021** in connection with **Englishbazar Police Station Case No. 734 of 2020** dated **26/08/2020** under Sections **498A/323/307/506/376/379/34** of the Indian Penal Code.

And

In the matter of: - **Sri Kaustav Chatterjee & Ors.**

....petitioners.

Mr. Debasis Kar,
Mr. Husen Mustafi,
Mr. Arka Chakraborty,
Mr. Subhajit Chowdhury

...for the petitioners.

Mr. Saibal Bapuli, APP,
Mr. Imran Ali,
Mr. M.F. Begg

...for the State.

Allegation against the petitioner nos. 1 and 3 is under Sections 498A/323/307/506/379/34 of the Indian Penal Code and added allegation against the petitioner no. 2 is under section 376 of the Indian Penal Code besides other allegations.

It is submitted by the learned Counsel for the petitioners that the petitioners have been falsely implicated as they raised objection against an illicit relationship of the de facto complainant. A complaint was lodged at a delay of about two and half months after the de facto complainant left her matrimonial home and started residing in her parental house.

Learned Advocate for the State vehemently opposes the prayer for the anticipatory bail and refers to the Case Diary including the statement of the victim lady under section 164 Cr.P.C.

We have considered the material on record. Allegations are extremely serious in nature. Investigation is in progress. Having considered the nature and gravity of the offence as well as prima facie involvement of the petitioners in the commission of the alleged offence, we are inclined to hold that this is not a fit case for granting anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail being C.R.M. 1993 of 2021 is dismissed.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)