

CRM 3272 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No.290 of 2020 dated 08-06-2020 under Sections 498A/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

- A n d -

**In the matter of : Habibur Rahaman @ Habibur Sk @ Habu
Sk & Anr.
.... Petitioners.**

Mr. Sandip Chakraborty,
Mr. Kaustav Das

... For the Petitioners.

Mr. Bidyut Kumar Roy,
Ms. Rita Dutta

... For the State.

The petitioners renew their prayer for anticipatory bail. Their first application was rejected by order dated March 12, 2021 passed in CRM 11164 of 2020. The petitioners say that subsequent to that rejection, the mother-in-law and the husband have been granted bail. This changed circumstance has prompted the petitioners to renew their prayer.

The petitioners are the father-in-law and brother-in-law of the victim. The allegation is that the petitioners along with other accused persons regularly tortured the victim lady and attempted to kill her by setting her on fire.

We have seen the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. We have also seen the injury report. The victim suffered serious injury. The victim specifically implicated her husband, parents-in-law and the brother-in-law.

The petitioners say that the husband and the mother-in-law have been granted bail by the learned Court below. However, we see nothing on record to that effect.

In any event, the husband and the mother-in-law have not been granted anticipatory bail. They were enlarged on bail upon being arrested.

In view of the serious nature of allegations against the present petitioners and the *prima facie* incriminating material on record, although Charge Sheet has been submitted, we are not inclined to entertain the present application for anticipatory bail.

The application for anticipatory bail being CRM 3272 of 2021 is, thus, **dismissed**.

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

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**