22.11.2021
Sl. No. 88
Court No.29
BM

CRM 5340 of 2021

(Via Video Conference)

In Re: An application for Anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Ratua Police Station case No.296/2021 dated 17.06.2021 under Sections 448/325/326/307 subsequently added 302/34 of the Indian Penal Code now pending in the court of learned Chief Judicial Magistrate, Malda.

And

In the matter of: Rumesa Bibi & Ors.

... Petitioners

Mr. Kazi Safiullah ... for the petitioners

Mr. Swapan Banerjee
Ms. Purnima Ghosh ... for the State

Mr. Dwaipan Biswas ... for the defacto complainant

Three petitioners are seeking anticipatory bail in connection with the case under reference. It is submitted by the learned advocate for the petitioners that the petitioners are innocent and they are wives of the accused persons who are held in jail custody.

Learned advocate for the State on the other hand object to grant of anticipatory bail by pressing in service case diary and inviting our attention to the various pages of the case including the seizure list, post mortem report and the statements of the eye witnesses.

We have also heard the learned advocate for the defacto complainant who has also raise serious objection in grant of bail.

Having heard and considered the case diary, bearing in mind grievous nature of the offence, the prayer for anticipatory bail is considered but is rejected.

Accordingly, the Application being CRM 5340 of 2021 is dismissed.

(Krishna Rao, J.) **(Shivakant Prasad, J.)**