

16.09.2021
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Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. 5796 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **54** of **2021** dated **09.03.2021** under Sections 498A/376/511/315/307 of the Indian Penal Code, 1860.

And

In Re : Montu Mondal @ Mantu Mondal

..... petitioner

Mr. Arnab Chatterjee

.... for the petitioner

Mr. Prasun Kumar Dutta

Mr. Subrata Roy

... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. He submits that, the husband of the de-facto complainant was granted anticipatory bail. The First Information Report was lodged after a month from the date of the alleged incident. The de-facto complainant did not undertake any medical examination.

Learned advocate appearing for the State draws the attention of the Court to the statement made by the de-facto complainant under Section 164 of the Code of Criminal Procedure. He submits that, the petitioner is the principal accused.

On a query from Court, learned advocate appearing for the State submits that, the police submitted charge-sheet before the Jurisdictional Court.

Considering the facts and circumstances of the case and considering the statement recorded under Section 164 of the Code of Criminal Procedure made by the de-facto complainant, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM 5796 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)