

14.12.2021
Court No.32
rpan / **240**

C.R.M. 6639 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Rahidul Sk @ Rahidul Islam**

- Petitioner

Mr. Sourav Mukherjee

....for the Petitioner.

Mr. Tanmoy Kr. Ghosh,

Mr. Pratick Bose

....for the State.

Apprehending arrest in connection with Palashipara Police Station Case No.278 of 2019 dated 15.11.2019 under Sections 498A/302/120B of the Indian Penal Code, 1860, the present application has been preferred.

The learned lawyer for the petitioner submitted that there are no strong incriminating elements in the record against the present petitioner. Marriage was solemnized more than seven years prior to the incident. Complaint was lodged belatedly. There is no justification in custodial detention of the present petitioner. Hence, he prayed for anticipatory bail.

Per contra, learned lawyer, Mr. Ghosh submitted that strong incriminating elements are there implicating the present petitioner in the alleged crime. Investigation is still pending and the present petitioner is absconding causing distraction and impediment in completion of the investigation. Accordingly, he strongly opposed the prayer for anticipatory bail.

We have heard the rival submissions. Perused the case diary. Incriminating elements are there against the present

petitioner and it is also noticed that the petitioner is absconding for which investigation could not be complete.

On perusal of the case diary and other materials therefrom, we are not inclined to exercise our discretion and prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM No. 6639 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.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)