

17.12.2021
Item no.292
Court No.32
Avijit Mitra

C.R.M.7484 of 2021

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

And

In Re : Rahul Das

.... petitioner

Mr. Ivan Roy,
Mr. Debangshu Bandhu

....for the petitioner

Mr. B.K. Roy,
Ms. Kumkum Mitra

..... for the State

Apprehending arrest in connection with Regent Park Police Station Case No.149 of 2021 dated 04.09.2021 under Sections 498A/313/406/34/506 of the Indian Penal Code read with sections 3/4 of the Dowry Prohibition Act, 1961 the present application is filed praying for anticipatory bail.

Learned lawyer representing the petitioner, submitted that the present petitioner has been falsely implicated. It is counter-blast by the wife, namely, the *de facto* complainant for filing of matrimonial suit by the petitioner. All allegations are false. The *de facto* complainant is staying at matrimonial home with seven years old son. Since whole allegations are concocted, anticipatory bail is prayed for.

Per contra, learned lawyer for the State Mr. Roy, submitted that strong incriminating elements are there against the present petitioner in the case diary. There are specific

allegations of torture and abortion. The present petitioner has illicit relationship with other ladies as transpires from the case diary. It is further submitted that because of torture, the *de facto* complainant attempted to commit suicide. Accordingly, anticipatory bail is opposed.

We have heard rival submissions and perused the case diary. Investigation is still pending. We find strong incriminating elements and allegations against the present petitioner. Even medical report indicates that the *de facto* complainant attempted to commit suicide. On perusal of case diary and other materials we find strong incriminating elements and allegations against the petitioner at this stage. Therefore, in view of the nature of allegations and the fact that the investigation is still pending, the instant petition stands rejected.

Accordingly, the application for anticipatory bail being C.R.M. No.7484 of 2021 is 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.)