

C.R.M 7647 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Behala** Police Station Case No. **257** of **2021** dated **13.09.2021** under Sections 498A/406/326/354/506/509/120B of the Indian Penal Code read with Sections 3/ 4 of the Dowry Prohibition Act, 1961 with added Section 384 of the Indian Penal Code.

And

In Re : Sri Manu Vikas

..... petitioner

Mr. Krishnendu Bhattacharya
Mr. Rajib Mullick
Mr. Priyankar Ganguly
Ms. Sonia Mukherjee

.... for the petitioner

Mr. Sudipto Moitra
Mr. Aniket Mitra
Mr. S. Saha

.... for the de-facto

Mr. Rana Mukherjee
Md. Anwar Hossain
Ms. S. Biswas

... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. He submits that, the de-facto complainant left the matrimonial home in May, 2020. He refers to the contents in the First Information Report. He submits that considering the educational qualification of the de-facto complainant and the fact that she is a lawyer, the statement recorded under Section 164 of the Code of Criminal Procedure (Cr. P. C.) and the documents in support of her claim are concocted.

Learned Additional Public Prosecutor appearing for the State draws the attention of the Court to the contents of the case

diary the statements recorded under Section 164 Cr. P.C and injury report. He submits that, the investigations are yet to be concluded. He contends that the de-facto complainant suffered grievous injury. There was a fracture in the arm of the de-facto complainant.

Learned advocate appearing for the de-facto complainant opposes the prayer for grant of anticipatory bail.

Considering the facts and circumstances of the case and considering the statements recorded under Section 164 Cr. P. C. and the injury report of the de-facto complainant, we are not in a position to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM 7647 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)