

38 23.12.2021
(AD) Court No.29
(Rejected)

**C.R.M. 8767 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** P.S. Case No. **543 of 2021** dated **04/05/2021** under Sections **498A/302/34** of the Indian Penal Code.

And

In the matter of: - Biswanath Seth @ Sett

...petitioner.

Mr. Soumya Basu Roy Chowdhury

... for the petitioner.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the husband is in custody. Since the police submitted charge sheet, custodial interrogation of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the minor son of the deceased recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials in the case diary and considering the statement of the minor son of the victim recorded under Section 161 of the Code of Criminal Procedure and considering the gravity of the offence and the complicity of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the

petitioner is rejected.

C.R.M. 8767 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)