

09.03.2021
Item no.131
Court No.28
Avijit Mitra

C.R.M. 10839 of 2020 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Kumarganj Police Station Case No.149 of 2019 dated 06.08.2019 under Sections 498(A)/304(B)/34 of the Indian Penal Code;

And

**In Re : Abdul Rahim Sarkar @ Rahimuddin
 Sarkar**

.... Petitioner

Ms. Jeenia Rudra

...for the petitioner

Mr. S.S. Imam,
Mr. Arabinda Manna

...for the State

The learned advocate appearing for the petitioner submits that the petitioner is the father-in-law of the victim lady. He has been falsely implicated. The brother-in-law and his wife have already been granted anticipatory bail by an order dated 9th December, 2019 passed in CRM No.11547 of 2019. In view thereof, custodial interrogation of the petitioner is not warranted.

Learned advocate appearing for the State opposes the petitioner's prayer and submits that the anticipatory bail of the mother-in-law was rejected by a Coordinate Bench of this court. There are materials on record which clearly reveal direct involvement of the petitioner in the alleged offence.

Having heard the learned advocates and considering the materials in the case diary, the statement of the

witnesses and the nature of allegations, we are of the opinion that the petitioner is not entitled to the privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail is rejected.

Accordingly, the application being C.R.M. No.10839 of 2020 is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)