

15.03.2021

CRM 11072 of 2020

Court No.02
Item No.134
(Rejected)

akd

In Re:- An application for bail under section 438 of the Code of Criminal Procedure filed on 15.12.2020 in connection with Raiganj Women Police Station Case No. 153/2020, dated 09.10.2020 under Sections 498A/494/313/307/34 of the Indian Penal Code (G.R. Case No. 1872).

And

In the matter of : **Mrinal Dhar.**

...Petitioner

**Mr. Nirupam Dhali,
Ms. Priya Chakraborty.**

...For the Petitioner

**Mr. Anowar Hossain,
Ms. Ratna Ghosh.**

...For the State.

Apprehending arrest in connection with Raiganj Women Police Station Case No. 153/2020 under Sections 498A/494/313/307/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The learned Advocate for the petitioner submits that the other co-accused, i.e. the mother and brothers, had already been granted anticipatory bail and, therefore, the petitioner standing on the same footing should also be extended the privilege of pre-arrest bail. It is submitted that the victim lady had an illicit affair with another gentleman and left the house voluntarily and the first information report is lodged after a great delay.

On the other hand, the learned Advocate for the State opposes the prayer for anticipatory bail. It is submitted that the physical as well as mental torture were inflicted upon the victim lady, who had disclosed the same in the statements recorded under Section 161 of the Code of Criminal Procedure. It is further submitted that the said lady was carrying a child but at the behest of the petitioner she was denied the admission in the hospital.

After hearing the submissions advanced by the learned Advocates for the respective parties and on perusal of the materials

available in the case diary and considering the nature of allegation which appears to be serious, we do not think that it is a fit case, where the petitioner should be extended with the privilege of pre-arrest bail. The prayer for anticipatory bail is accordingly rejected.

The application for anticipatory bail, being CRM 11072 of 2020, is thus **dismissed**.

(Harish Tandon, J)

(Abhijit Gangopadhyay, J.)