

28.05.2021
Court No.28
Item No. 02
(Circuit Bench
at Jalpaiguri)
Krishnendu
Rejected

CRM 585 of 2021
(Via video Conference)

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

And

In Re : **Sunayan Das**

Petitioner

Ms. Madhushri Dutta

For the Petitioner

Mr. Biswarup Roy

For the State

Apprehending arrest in connection with Madarihat P.S. Case No. 46 of 2021 dated 31.03.2021 under sections 498A/306/34 of the Indian Penal Code, the present application has been preferred.

Ms. Das, learned advocate appearing for the petitioner submits that the petitioner is the husband of the deceased. He has been falsely implicated. Other co-accused persons, being the in-laws of the deceased, had already been granted bail by the learned Sessions Court. She further submits that the deceased was suffering from severe ailments and her death was not an unnatural one. In the said conspectus, custodial interrogation/detention of the petitioner is not necessary.

It appears from the medical documents, annexed to the application, that the deceased was aged about 19 years . It further appears that the incident occurred only four months after the marriage.

The learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and submits that the petitioner, being the husband of the deceased, was directly involved in the alleged offence.

Having heard the learned advocates appearing for the respective parties and considering the gravity of the offence and the extent of complicity of the petitioner in the same, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM 585 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar J.)

(Tapabrata Chakraborty, J.)