

24.09.2021
Court No.01
Item No. 15
Rejected
Krishnendu

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 853 of 2021
(Via Video Conference)**

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

And

In Re : **Bablu Barman & Ors.**

Petitioners

Mr. Surajit Basu

Mr. Ratan Chandra Roy

For the Petitioners

Mr. Arun Kumar Sarkar

Mr. Biswarup Roy

For the State

Apprehending arrest in connection with Sahebganj Police Station

Case No. 155 of 2021 dated 24.04.2021 under sections 498A/302/34 of
the Indian Penal Code, 1860, the petitioners have filed the present
application.

Mr. Basu, learned advocate appearing for the petitioners submits
that the petitioners have been falsely implicated. No overt act has
been attributed to the petitioners. The principal accused, being the
husband of the deceased, had already been granted bail by the

learned Court below. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation of the petitioners is not necessary.

Mr. Sarkar, learned advocate, assisted by Mr. Roy, appearing for the State, opposes the petitioners' prayer and submits that the incident occurred within a month after the marriage of the victim lady. There are incriminating materials on record against the petitioners. In support of such contention, he has drawn our attention to the statements of the witnesses, as recorded under section 161 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective parties and considering the materials on record, including the statements of the witnesses, as recorded under section 161 of the Code of Criminal Procedure and the extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise any discretion in their favour and as such the prayer for anticipatory bail is refused.

The application for anticipatory bail, being C.R.M. No. 853 of 2021 is dismissed.

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

(Abhijit Gangopadhyay, J)

(Tapabrata Chakraborty, J)