

22.03.2022

Sl. 75
Court No.29
Sc/SD
(Rejected)

C.R.M. (A) 776 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **11.02.2022** in connection with **Shakespeare Sarani** PS/DD Case No. **201** dated **02.12.2021** under Sections **498A/406/354/506/509/385/420/34** of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961.
And

In the matter of: Sumit Agarwal

....petitioner.

Mr. Sandipan Ganguly
Mr. Ajitesh Pandey
Mr. Karan Dudhewala

...for the petitioner.

Mr. Rudradipta Nandy

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the marriage is of 22 years. The petitioner was falsely implicated. The father of the petitioner obtained orders from this Hon'ble Court affirmed by the appeal court.

Learned advocate appearing for the State submits that initially, the father of the petitioner approached the tribunal under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Thereafter, the defacto complainant applied under the Domestic Violence Act and obtained the order. The father obtained orders for driving the petitioner and the defacto complainant out of the matrimonial house. The father and the petitioner entered into an arrangement whereby the petitioner is residing with his father with the defacto complainant being driven out from the matrimonial house. Investigation is still in progress.

Considering the gravity of the offence and the involvement 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. (A) 776 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)