

CRM (A) 873 of 2022

22.02.2022
Sl. 12
Court No.29
suvayan
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bongaon** P.S. Case No. **897/21** dated **08/10/2021** under Sections **498A/328/304B/116/406/34** of the Indian Penal and Sections **3/4** of the Dowry Prohibitions Act but charge-sheet submitted against the petitioners under Sections **498A/304B/34** of the Indian Penal Code and Sections **3/4** of the Dowry Prohibitions Act.

And

In the matter of: Biswanath Biswas & Ors.

....petitioners.

Mr. Angshuman Chakraborty

... for the petitioners.

Mr. Arup Kumar Bhowmick

...for the defacto complainant.

Mr. S. S. Imam

Mr. S. Kundu

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the police filed charge-sheet and, therefore, detention of the petitioners are not required. He submits that charge under Section 328 of the Indian Penal Code is not there against the petitioners.

Learned Advocate appearing for the State draws the attention of the Court to the dying declaration where the victim names all the petitioners as the assailants.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the dying declaration of the victim implicating the petitioners, we are unable to grant anticipatory bail to the petitioners.

The application for anticipatory bail, being CRM (A) 873 of 2022, is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

