

25.04.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 1855 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Moyna** Police Station Case No. **353** of **2021** dated **30.12.2021** under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Sk. Asek @ Sekh Asek & Anr.

..... petitioners

Mr. Suman De

....for the petitioners

Mr. Anwar Hossain

Mr. A. E. Molla

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the first petitioner is the husband of the victim. He was at 'Warangal' at the material point of time. The victim committed suicide. The second petitioner is the married sister-in-law. The petitioners were falsely implicated. He also submits that, the police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned advocate appearing for the State draws the attention of the Court to the statement of the neighbour recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the fact that the incident of death occurred within four years of marriage and considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are unable to enlarge the petitioners on anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 1855 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)