

05.05.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2032 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **New Town** Police Station Case No. **89** of **2022** dated **24.04.2022** under Sections 498A/325/406/506/377 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act, 1961.

And

In Re : Diganta Sinha & Ors.

..... petitioners

Mr. Abhimanyu Shandilya

....for the petitioners

Mr. Sabir Ahmed

Mr. Shraman Sarkar

Mr. Apan Saha

....for the de-facto complainant

Mr. Imran Ali

Ms. Debjai Sahu

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, there is an application for declaration of marriage as a nullity filed on behalf of the de-facto complainant. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that the victim was assaulted apart from anything else.

Learned advocate appearing for the de-facto complainant submits that, the marriage was solemnised in the month of September, 2021.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioner therein and considering the fact that the complaint was lodged within a year of the marriage, we are unable to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 2032 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)