

15.07.2022
Serial no.8
Aloke

CRM (A) 3363 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj P.S. Vide First Information Report Case No. 588 of 2022 dated 08.05.2022 under Sections 498A/307/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Rupak Das**

... ... Petitioner

Ms. Desvi Priya Mitra, Advocate

... ... For the Petitioner

Mr. B.K. Roy, Advocate

Ms. Kum Kum Mitra, Advocate

... ...For the State

Ms. Surasri Baidya, Advocate

... ... For the de facto complainant

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The police complaint was lodged after 10 years of marriage.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and to her injury report.

Learned Advocate appearing for the de facto complainant submits that the petitioner tried to obtain transfer of the ownership of the plot in his own name. The petitioner also attempted to murder her.

There is an injury report of the victim in the case diary.

There is a statement of the victim recorded under Section 164 of the Code of Criminal Procedure. In her statement recorded under Section 164 of the Code of Criminal Procedure, the victim speaks of assault to her and an attempt to throttle her. There is a statement of the daughter of the victim recorded under Section 164 of the Code of Criminal Procedure.

It appears from the statement of the victim and her daughter that, the petitioner used to assault the victim

frequently. On a particular incident, the petitioner assaulted and tried to throttle her.

In view of the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 3363 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)