

22.07.2022
Serial no.6
Aloke

CRM (A) 3388 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Daspur P.S. Case No. 288 of 2020 dated 10.08.2020 under Sections 498A/494/406/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

-And-

In the matter of : **Jairul Hasan Mallick**
@ Jahirul Hasan Mallick & Ors.

... ... Petitioners

Mr. Subrata Mukherjee, Advocate

... ... For the Petitioners

Mr. Imran Ali, Advocate

Ms. Debjani Sahu, Advocate

... ... For the State

The application is taken up subsequent to the order dated July 15, 2022.

On July 15, 2022 it was claimed on behalf of the petitioners that the de facto complainant was residing with the first petitioner.

Noting such claim, a report was called for from the police.

The report filed in Court be taken on record.

The report dated July 13, 2022 speaks of a statement recorded under Section 161 of the Code of Criminal Procedure of the de facto complainant.

In her statement, the de facto complainant states that she is not residing with the first petitioner. In fact, she was driven out of her matrimonial house.

Considering the gravity of the offence and the involvement of the petitioners therein, we are of the view that there is urgent requirement of custodial interrogation of all the petitioners.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 3388 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)