

10.08.2022
Serial no.28
Aloke

CRM (A) 3820 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Amta Police Station Case No. 53 of 2022 dated 27.02.2022 under Sections 498A/324/370/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Nirmal Mistry @ Nirmal Chandra Mistry & Ors.**
... .. Petitioners

Mr. Soumya Banerjee, Advocate
... .. For the Petitioners

Mr. Sanjay Bardhan, Advocate
Ms. Baishakhi Chatterjee, Advocate
... ..For the State

Mr. Sk. Toslim Ali, Advocate
Ms. Saba Parbeen, Advocate
... .. For the de facto complainant

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was enlarged on bail by the jurisdictional Court. He refers to the advance age of the petitioners and the fact that one of the petitioners is the married sister-in-law.

Learned Advocate appearing for the State draws the attention to the complaint. He also refers to the materials in the case diary. He submits that the wife is yet to be recovered. There is a habeas corpus petition being WPA (H) 42 of 2022 filed at the instance of the de facto complainant with regard to the missing wife.

The wife is yet to be recovered. There is a habeas corpus petition pending in which an order dated August 3, 2022 was passed by the Coordinate Bench. There are materials in the case diary implicating the petitioner.

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

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 3820 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)