

06.01.2022
Item no. 26
Court No.32
Avijit Mitra

C.R.M. 7965 of 2021 (Through Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal;

And

In Re : Bobita Biswas @ Babita

.... petitioner

Mr. Ali Ahsan Alamgir

....for the petitioner

Mr. Nguive Ahmed,

Ms. Amita Gaur

..... for the State

Apprehending arrest in connection with Bharatpur Police Station Case No.34 of 2020 dated 09.02.2020 under Sections 326/307/302/34 of the Indian Penal Code one of the accused persons namely Bobita Biswas filed the instant application praying for anticipatory bail.

Mr. Alamgir, learned lawyer representing the petitioner submitted, that most of the accused persons are in custody who are male members of the family. The present petitioner is the female member. Therefore, she prayed for anticipatory bail.

Per contra, learned lawyer representing the State Ms. Gaur submitted, that the matter is filed against the present petitioner for the present. Trial is in progress. A number of witnesses are examined. Earlier a Coordinate Bench of this Court rejected anticipatory bail against some of the co-accused persons against whom the trial is filed for the present. It is further submitted that the allegation is grave and serious and

the conduct of the petitioner is impeachable. Accordingly, the application of anticipatory bail is strongly opposed to.

We have heard rival submissions and perused the case diary. It appears that the present petitioner is absconding for long thereby obstructing dispensation of justice. Trial is in progress against other accused persons who are in custody. The allegation is very grave and serious. Therefore, considering the conduct of the petitioner, the nature of allegation and presence of incriminating materials, we are not inclined to allow the anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. No.7965 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)