

CRM 8052 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Abaidullaha Mondal @ Pintu**
..... petitioner

Mr. Debasish Kar
Mr. Arka Chakraborty

.....For the petitioner

Ms. Sonali Das

.....For the State

Apprehending arrest in connection with Matia Police Station Case No. 419 of 2021 dated 12.10.2021 under Sections 498A/302/34 of the Indian Penal Code, the present application has been preferred.

Mr. Kar, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in an alleged incident which occurred about nine years after the marriage. The allegations are omnibus in nature and the other co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court. In the said conspectus, custodial interrogation is not warranted.

Ms. Das, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the petitioner's daughter as recorded under Sections 161 and 164 of the Code as well as the post mortem report.

Upon assessing the role of the petitioner and considering the seriousness of the offence, the nature of accusations and

since investigation has not yet been completed, we are not inclined to exercise any discretion in favour of the petitioner. As such, the prayer is refused.

The application CRM 8052 of 2021 is, accordingly, 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.)