

24.08.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 4049 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Banshihari** Police Station Case No. **150 of 2020** dated **09.11.2020** under Sections 498A/304B/302/34 of the Indian Penal Code.

And

In Re : Kartick Paul @ Kartik Paul

..... petitioner

Mr. Sajal Kanti Bhattacharya

....for the petitioner

Mr. Avishek Sinha

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the husband and other in-laws, who were arrested, were enlarged on bail by the Jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) and other materials in the case diary. He submits that, a petition for proclamation was filed.

The 164 Cr.P.C. statement contains the oral dying declaration of the victim.

Prima facie, it appears that the crime was gruesome. Involvement of the petitioner transpires from the materials in the case diary.

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

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 4049 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)