

08.09.2022
Serial no.17
Aloke

CRM (A) 4326 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 176 of 2022 dated 22.04.2022 under Sections 498A/306/34 of the Indian Penal Code.

-And-

In the matter of : **Gitanjali Biswas & Ors.**

... .. Petitioners

Mr. Arindam Jana, Advocate
Mr. Arhan Sengupta, Advocate
Mr. Sumanta Das, Advocate

... .. For the Petitioners

Mr. Arijit Ganguly, Advocate
Mr. Sanjib Dan, Advocate

... ..For the State

Mr. Kaustav Bagchi, Advocate
Mr. Asif Dewas, Advocate

... .. For the de facto complainant

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband enlarged on bail by the jurisdictional Court. The victim committed suicide. The petitioners were falsely implicated. The police complaint was lodged after 14 years of marriage.

Learned Advocate appearing for the State draws the attention to the postmortem report of the victim, the photographs of the injuries suffered by the victim and the statement recorded under Section 161 of the Code of Criminal Procedure.

The postmortem report of the victim suggests that the death was due to effects of ingestion of coercive substance. There are photographs of the victim showing that the victim suffered injuries. The case diary contains a statement recorded under Section 161 of the Code of Criminal Procedure of the domestic help family of the petitioners where such person states that the petitioners were involved in torturing the deceased both physically and mentally.

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

The prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 4326 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)