

23.09.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 4550 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **937** of **2022** dated **13.08.2022** under Sections 498A/323/34 of the Indian Penal Code, 1860 read with Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019.

And

In Re : Imran Khan

..... petitioner

Ms. Jeenia Rudra

....for the petitioner

Ms. Sreeparna Das

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner filed an application for restitution of conjugal rights. The petitioner went to comply with the notice issued under Section 41A of the Code of Criminal Procedure (Cr.P.C.). The police, however, did not allow him to comply. The petitioner wrote a letter to such effect to the authority.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the 164 Cr.P.C. statement of the de-facto complainant.

The police complaint was lodged within three years of marriage. There are materials in the case diary implicating the

petitioner. The petitioner is the husband of the de-facto complainant.

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) 4550 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)