

29.09.2022

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Ct. No. 29

AD/KC
REJECTED

C.R.M.(A) 4739 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **1097** of **2022** dated **24.08.2022** under Sections 498A/325/354/313/34 of the Indian Penal Code, 1860.

And

In Re : Biplab Sarkar

..... petitioner

Ms. Minoti Gomes

....for the petitioner

Mr. Joydeep Roy

Mr. Asif Dewan

....for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the statement of the victim lady. She stated petitioner had kicked on her abdomen. As a result, she suffered a miscarriage. Her statement is corroborated by the medical documents.

In view of the aforesaid incriminating materials and the gravity of the offence, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 4739 of 2022 is dismissed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)