

31.10.2022
Serial no.90
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 4839 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sabang** Police Station Case No. **312** of **2022** dated **30.08.2022** under Sections **498A/302/304B/506/34** of the Indian Penal Code.
-And-

In the matter of : **Tapan Kar & Ors.**

... ..**Petitioners**

Mr. Sabir Ahmed,
Mr. Bhaskar Hutait, Advocates
... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha, Advocates
... ...For the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the husband is in custody. The first two petitioners are the parents-in-laws of the deceased. The deceased died due to drowning. He refers to the postmortem report of the deceased. He submits that the third petitioner is not a relative of the deceased.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the postmortem report of the victim and the statements of the neighbour recorded under Section 161 of the Criminal Procedure Code.

The victim apparently died at her paternal house. There are materials in the case diary which suggest that the husband of the victim and the third petitioner went to the locale and pushed the victim into the pond where, the victim died.

The investigations are yet to be concluded.

The police complaint was lodged within 7 years of marriage.

The role of the first two petitioners in the incident and the allegations under Section 498A of the Indian Penal Code at this stage cannot be overlooked.

In such circumstances, we are not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 4839 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)