

18.10.2022

Sl.25
Court No.29
(As/cm)
(Rejected)

C.R.M. (A) 5004 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No.**295 of 2022** dated **17/08/2022** under Sections **498A/307/34** of the Indian Penal Code.

And

In the matter of: **Alamgir Sekh**

....petitioner.

Mr. Sourav Mukherjee

...for the petitioner.

Mr. Joydeep Roy

Mr. Asif Dewan

...for the State.

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws attention to the materials in the case diary including the statement of the de-facto complainant recorded under Section 161 of the Code of Criminal Procedure.

The statement of the de-facto complainant recorded under Section 161 of the Code of Criminal Procedure implicates the petitioner. The police complaint was lodged within two and half years of marriage. There is a medical examination report of the victim suggesting that there was an attempt in strangulating the victim.

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

Accordingly, the prayer for anticipatory bail of the petitioner

is rejected.

C.R.M. (A) 5004 of 2022 is dismissed.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)