

VB
18. 28.10.2022
Ct.28 Tanmoy

Rejected

CRM (A) 5016 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with **Chakdah Police Station Case No. 115 of 2022** dated **18.02.2022** under Sections **498(A)/304(B)/34** of the Indian Penal Code.

And

In the matter of: - **Prasanta @ Prashanta Ojha**

....petitioner.

Mr. Shibaji Kumar Das

...for the petitioner.

Mr. Arijit Ganguly,
Mr. Aniket Mitra

...for the State.

Learned Advocate appearing on behalf of the petitioner submits that in this case other accused persons were already on bail and the present petitioner was not residing in India at the time of committing suicide by his wife. It is further submitted on behalf of the petitioner that no specific allegation has been embodied in the First Information Report against the petitioner.

Learned Advocate appearing on behalf of the State has referred to the statement recorded under Section 164 of the Code of Criminal Procedure.

On a careful scrutiny of the statement recorded under Section 164 of the Code of Criminal Procedure, we cannot rule out the involvement of the petitioner in committing an offence under Sections 498A/304B of the Indian Penal Code. Thus, the prayer for anticipatory bail is rejected.

The application being CRM (A) 5016 of 2022 is dismissed.

(Bibhas Ranjan De, J.)

(Abhijit Gangopadhyay, J.)