

07.11.2022

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 5059 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **554** of **2022** dated **12.8.2022** under Sections 498A/323/325/307/34 of the Indian Penal Code and 3 /4 of the Dowry Prohibition Act.

And

In Re : Muslema Bewa @ Bibi & Anr.

..... petitioner

Mr. Debapriya Samanta

....for the petitioner

Mr. Saswata Gopal Mukherjee, Ld.P.P.,

Mr. Partha Pratim Das

Ms. Manasi Roy

....for the State

Petitioner prays for anticipatory bail.

Learned advocate for the petitioner submits that, the other co-accused were enlarged on anticipatory bail. The police filed charge sheet and, therefore, custodial interrogation of the petitioner is not required. He submits that, defacto complainant left the matrimonial house voluntarily. He refers to a notice issued by the Para Legal Volunteers.

Learned advocate for the State submits that, the petitioner underwent miscarriage. He refers to the materials in the case diary.

The police complaint was lodged within one year of the marriage.

The petitioners are the husband and mother-in-law respectively of the defacto complainant.

There are materials in the case diary implicating the petitioners.

In such circumstances, we are unable to grant the anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 5059 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)