

15.11.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 5194 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amta** Police Station Case No. **309** of **2022** dated **20.09.2022** under Sections 498A/302/304B/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the D.P. Act.

And

In Re : Ajit Sekh & Ors.

..... petitioners

Mr. Soumya Basu Roychowdhury

....for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband is in custody. The police complaint was filed after five years of marriage. He submits that, the victim committed suicide.

Learned advocate appearing for the State draws the attention of the Court to the statement of a minor recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.), two 161 Cr.P.C. statements of the neighbours and to the post mortem report of the victim.

The post mortem report of the victim suggests that the victim committed suicide.

The two 161 Cr.P.C. statements of the neighbours cannot be said to be containing omnibus allegations against the petitioners. The statements implicate the petitioners.

In such circumstances, we are unable to enlarge any of the petitioners in anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 5194 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)