

C.R.M. (A) 5240 of 2022

16.11.2022
Sl.37
Court No.29
(AD)
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haringhata** Police Station Case No.**76 of 2022** dated **23/03/2022** under Sections **498A/302/34** of the Indian Penal Code, 1860 and Section **4** of the Dowry Prohibition Act, 1961.

And

In the matter of: **Rakesh Molla**

....petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Sutareeka Chowdhury
Ms. Sompurna Chatterjee
Mr. Sourov Mondal

... for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Aniket Mitra

... for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the husband and the parents-in-law of the victim are in custody. The police filed charge sheet and, therefore, there is no requirement of custodial interrogation of the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the post-mortem report of the victim.

The materials in the case diary suggest that the victim was assaulted and throttled. The post-mortem report suggests that the death was caused due to manual strangulation.

There are materials in the case diary implicating the petitioner.

In 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) 5240 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)