

C.R.M. (A) 5374 of 2022

24.11.2022
Sl.8
Court No.29
(AD)
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No.**542 of 2022** dated **25/09/2022** under Sections **306/34** of the Indian Penal Code.

And

In the matter of: **Siddheswar Mondal & Ors.**

....petitioners.

Mr. Sujoy Sarkar

... for the petitioners.

Mr. Joydeep Roy

Ms. Sujata Das

... for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that there was a love relationship between the petitioner no.1 and the victim. The petitioner no.1 is a BSF Personnel. The petitioner no.1 was not present at the time of incident at the place of occurrence.

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 and the statement of the sister of the victim recorded under Section 161 of the Code of Criminal procedure.

In her statement recorded under Section 161 of the Code of Criminal Procedure, the sister of the victim states that the victim and the petitioner no.1 were in a relationship. There was a proposal for marriage when the petitioner no.1 and his parents demanded dowry. She implicates the petitioners in the incident.

In view of the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners

is rejected.

C.R.M. (A) 5374 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)