

C.R.M. (A) 5383 of 2022

23.11.2022
Sl.35
Court No.29
(AD)
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No.**495 of 2022** dated **10/09/2022** under Sections **498A/307/313** of the Indian Penal Code, 1860 read with Sections **3/4** of Dowry Prohibition Act, vide G.R. No.2508 of 2022.

And

In the matter of: **Klinton**

....petitioner.

Mrs. Sujata Das

... for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

... for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the de facto complainant and the petitioner were living separately for more than eleven years. The petitioner was falsely implicated. The doctor who gave the report so far as the de facto complainant is concerned is a relative of the de facto complainant. The petitioner applied under the Right to Information Act.

Learned Advocate for the State draws the attention of the Court to the materials in the case diary including the injury report.

The petitioner is the husband of the de facto complainant. The police complaint was lodged within seven years of marriage.

There are materials in the case diary including the injury report of the de facto complainant implicating the petitioner. A case for investigation stands made out.

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) 5383 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)