

08.12.2022
Serial no.51
S.De

CRM (A) 5721 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 1344 of 2022 dated 10.10.2022 under Sections 417/376 of the Indian Penal Code.

-And-

In the matter of : **Abhinaba Biswas.**

... ..Petitioner

Mr. Jisan Iqubal Hossain, Advocate
Ms. Chandrima Debnath, Advocate,
Mr. Karnel Mondal, Advocate For the Petitioner

Mr. Imam Ali, Advocate
Mrs. Debjani Sahu, Advocate

... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The Police complaint was at the behest of the ex wife. She was divorced. She came to the house of the petitioner voluntarily for the purpose of discussing the quantum of alimony that she will receive. He also submits that there are improvements between the written complaint and the statement recorded under Section 164 of the Code of Criminal Procedure.

Learned advocate appearing for the State draws attention of the Court to the materials of the case diary including the written complaint and this statement recorded under Section 164 of the Code of Criminal Procedure.

Prima facie, it does not appear that the petitioner introduced such new materials in the statement recorded under Section 164 of the Code of Criminal Procedure so as to allow the Court to grant anticipatory bail to the petitioner. There are materials in the case diary implicating the petitioner.

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

Prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 5721 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)