

21.07.2022
Serial no.5
Aloke

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 368 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 3229 of 2022 dated 04.07.2022 under Sections 498A/325/308/376/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

-And-

In the matter of : **Sri Subhendu Kundu & Ors.**

... ... Petitioners

Mr. Ranjan Kali, Advocate
Ms. Nabanita Dutta, Advocate
Mr. Suraj Bhattacharjee, Advocate

... ... For the Petitioners

Mr. Aditi Shankar Chakraborty, Id. APP
Mr. Ujjwal Luksom, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. He refers to the complaint police complaint lodged at the behest of the petitioners. He refers to an order dated July 11, 2022 passed in WPA 1527 of 2022 filed at the behest of the petitioners. He submits that the present police complaint is a counter blast to the complaint lodged by the petitioners earlier in point of time.

Learned Advocate appearing for the State draws the attention to the materials in the case diary.

There are complaints and counter complaints between the private parties. The petitioners approached a writ Court by way of WPA 1527 of 2022 in which an order dated July 11, 2022 was passed.

While passing such order, the Court noted that there are complaints and counter complaints between the private parties.

The writ petition is yet to be finally decided. The writ petitioner is founded on the alleged police inaction with regard to the complaints lodged by the petitioners. In the present police complaint, there are serious allegations as against the petitioners. The police complaint was lodged within seven years of marriage.

Considering 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.

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 368 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)