

08.12.2022
Item no.41
Court No.1
SS

***CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri***

C.R.M.(A) 559 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mathabhanga** Police Station Case No.231 of 2022 dated 10.05.2022 under Sections 363/365/376/109 of the Indian Penal Code;

And

In Re : Sarbeswar @ Sabeswar Barman

... Petitioner.

Mr. Debajit Kundu

... for the petitioner.

Mr. Kallol Acharjee

Ms. Namrata Das

... for the State.

Apprehending arrest in connection with Mathabhanga Police Station Case No.231 of 2022 dated 10.05.2022 under Sections 363/365/376/109 of the Indian Penal Code, the present application is preferred praying for anticipatory bail.

Heard learned lawyer for the petitioner as well as the learned Public Prosecutor.

We have perused the case diary and heard the rival submissions.

We have also perused the statement of the victim recorded under Section 164 of the Cr.P.C. Another co-accused who is named by the victim was granted regular bail on 15th October, 2022. However, the present petitioner being the husband of the victim is absconding.

Considering the nature of allegation against the present petitioner and particularly the role of the petitioner being husband, we are not inclined to allow anticipatory bail to the present petitioner.

The application for anticipatory bail being CRM (A) 559 of 2022 stands dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Shekhar B. Saraf, J.)