

11.01.2023

43

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 135 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda Cyber Crime** Police Station Case No. **56** of **2022** dated **01.12.2022** under Sections 498A/323/324/325/307/34 of the Indian Penal Code, 1860 read with Sections 66C/66E/67/67A of the Information and Technology Act with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Md. Mortuja @ Montu & Ors.

..... petitioners

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumdar
....for the petitioners

Mr. Ranabir Roychowdhury
Mr. Sandip Chakraborty
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband is still in custody. Other co-accuseds were enlarged on bail by the jurisdictional Court. He contends that the allegations as against the petitioners are general and omnibus in nature.

There is a statement recorded by the victim under Section 164 of the Code of Criminal Procedure (Cr.P.C.) where the victim implicates all the petitioners in the crime of assaulting and torturing her. There are 161 Cr.P.C. statement of neighbours implicating the petitioners.

In such circumstances, considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 135 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)