

18.01.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 242 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **813** of **2022** dated **14.10.2022** under Sections 498A/307/34 of the Indian Penal Code.

And

In Re : Rajjak Biswas & Ors.

..... petitioners

Mr. Sumanta Das

....for the petitioner

Mr. Pravash Bhattacharya

Mr. Pratick Bose

....for the State

Petitioners pray for anticipatory bail.

The husband and the in-laws of the wife are the petitioners before Court.

The wife and her child are present in Court.

It is claimed on behalf of the petitioners that the disputes with the wife stands settled and that the wife is at her matrimonial home.

There is a statement recorded under Section 161 of the Code of Criminal Procedure which states that, the child was put to the burner where the child suffered burn injuries.

This claim of the wife is corroborated by the medical evidence on record.

In Court, the mother of the child initially claimed that, the injuries suffered by the child was due to the child falling in to hot water.

The photographs of the injuries suffered by the child and the injury report suggest otherwise.

A child was assaulted.

All the petitioners are complicit in the assault.

Requirement of custodial interrogation of the petitioners cannot be overlooked.

The jurisdictional Court is requested to look into the welfare of the child and pass appropriate orders securing the welfare of the child.

Consequently, 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) 242 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)