

06.02.2023

18

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 479 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rampurhat** Police Station Case No. **566** of **2022** dated **02.11.2022** under Sections 498A/306/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Utpal Kumar Das & Anr.

..... petitioners

Mr. Saikat Chatterjee

Mr. Kunal Ganguly

Mr. Puranjan Pal

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Partha Pratim Das

Ms. Eshita Dutta

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioner reside separately. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the post mortem report of the victim and the statement of the neighbours of the victim recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

The post mortem report is inconclusive as to the cause of death. One of the injuries noted is one oblique non-continuous ligature mark on the neck of the victim.

The 161 Cr.P.C. statements of the neighbours suggest that the victim committed suicide.

The neighbours of the victim implicate the husband of the victim in assaulting her after being intoxicated. There are allegations of demand of dowry also.

The police case was filed eight years after marriage.

The contents of the First Information Report, apparently, stands corroborated by the 161 Cr.P.C. statements implicating the petitioners before us in the incident.

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) 479 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)