

07.02.2023

40

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 544 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **1165** of **2022** dated **12.09.2022** under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Swapan Mondal & Ors.

..... petitioners

Mr. Kaushik Chowdhury

Ms. Busra Khatun

....for the petitioners

Mr. S. G.Mukherjee, learned Public Prosecutor

Mr. Partha Pratim Das

Ms. Eshita Dutta

....for the State

The post mortem report of the victim suggest that, the victim was subjected to assault before death which was caused by hanging.

The case diary contains a statement recorded under Section 161 of the Code of Criminal Procedure suggesting that the petitioners were involved in the assault of the victim.

The investigations are yet to be concluded.

At this stage, enlarging the petitioners on anticipatory bail may be inimical to the investigations.

In such circumstances, 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) 544 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)