

15.03.2023

Serial no. 20

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1078 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tamluk** Police Station FIR No. **1132** of **2022** dated **16.12.2022** under Sections **420/406/384/506/34** IPC.

-And-

In the matter of : **Mohammed Rabiul Khan @ Rabiul Khan & Ors.**

... ..**Petitioners**

Mr. Debanca Das,
Mr. Kartik Dey,
Ms. Swgheta Maity, Advocates
... .. For the Petitioners

Mr. Sourav Chatterjee,
Mr. Shibaji Kr. Das,
Mr. Mehboob Rahaman,
Mr. Priyanka Dey, Advocates
... ..For the de facto complainant

The in-laws of the de facto complainant are before the Court seeking anticipatory bail.

State is not represented even in the second call. No explanation is forthcoming as to why the case diary is not placed before the Court.

Jurisdictional Superintendent of Police will ensure that the case diary is produced when the matter is taken up for hearing.

De facto complainant is represented.

Learned advocate for the de facto complainant submits that, a vehicle was registered in the name of the first petitioner. A sum in excess of Rs.94 lakhs was transferred at the dictates of the husband of the de facto complainant as also the petitioners before us to the bank account delineated by

them. He refers to the bank statements to establish such claim. He submits that, such bank statements were made over to the investigating authority. He submits that appliances were purchased in favour of the petitioners through credit card belonging to the de facto complainant and her family members.

The police complaint was lodged within 10 months of marriage. The Court is informed that the husband is presently in Canada.

Prima facie case as against the petitioners stands made out. Enlarging any of the petitioners on anticipatory bail is likely to affect the investigations.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 1078 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)