

20.03.2023

Sl.10

Court No.29

(AD)

(Rejected)

C.R.M. (A) 1085 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harwoodpoint Coastal** Police Station Case No.**434 of 2022** dated **10.10.2022** under Sections **498A/304B/302/34** of the Indian Penal Code subsequently Charge Sheet has been submitted under Sections **498A/304B/306/34** of the Indian Penal Code (corresponding to G.R. Case No.2498 of 2022).

And

In the matter of: **Gurupada Panja**

....petitioner.

Mr. Ayan Basu

Mr. Sandip Kumar Mondal

Mr. Sumit Routh

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

...for the State.

Petitioner prays for anticipatory bail.

Petitioner before us is the husband of the victim.

Brother-in-law of the victim was granted anticipatory bail by the jurisdictional Court on November 10, 2022.

The parents-in-law of the victim was granted bail by the High Court on February 10, 2023.

The Coordinate Bench while granting the bail to the parents-in-law took into consideration the nature of accusation with the period of detention suffered by the parents-in-law.

While granting anticipatory bail to the brother-in-law, the role of the brother-in-law was taken into account by the jurisdictional Court.

Petitioner before us is the husband of the victim.

The incident occurred within two years of marriage.

There are statements recorded under Section 164 of the Code of Criminal Procedure implicating the petitioner as the husband in the incident of torture.

Local of the petitioner at Kerala at the time of the incident is sought to be canvassed as a defence.

The involvement of the petitioner in the incident requires consideration.

Prima facie case stands made out as against the petitioner.

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

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1085 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

