

30.03.2023

Serial no. 15

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1307 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **203** of **2023** dated **03.03.2023** under Sections **302** of the IPC.

-And-

In the matter of : **Kuheli Das Adhikary**

... ..**Petitioner**

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha, Advocates
... .. For the Petitioner

Mr. Avishek Sinha, Advocate
... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the husband of the petitioner committed suicide. She is being falsely implicated in order to deprive her of the properties of the deceased husband of the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the postmortem report of the victim. He submits that there is a continuous ligature mark on the neck of the victim. The victim was found sitting on the floor. He draws the attention of the Court to the statement of the daughter of the victim.

The daughter of the victim recorded a statement under Section 161 of the Criminal Procedure Code, where, she stated that the petitioner used to assault the victim frequently. On the fateful day, there was an altercation between the petitioner and the victim. She found the victim sitting on the floor at the doorstep.

The postmortem report of the victim finds an injury of continuous ligature mark on the neck. The body was not found hanging.

Therefore, *prima facie* case as against the petitioner stands made out. Enlarging the petitioner at this stage will be inimical to the investigations.

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

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

CRM (A) 1307 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)