

03.05.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 1867 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaligunj** Police Station Case No. **791** of **2022** dated **13.12.2022** under Sections 498A/302/34 of the Indian Penal Code.

And

In Re : Nistar Sk. & Ors.

..... petitioners

Mr. D. Rahaman
Mr. Chittaranjan Chakraborty
Mr. Sumit Banerjee
....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor
Mr. Aniket Mitra
Ms. Jonaki Saha
....for the State

The post mortem report of the victim records that the death was due to 'asphyxia, strangulation by neck by ligature, which is ante mortem and homicidal in nature'. Moreover, 'multiple bruise injury marks' was noted on the injury column of the post mortem report. All the petitioners before us stand implicated on the basis of statement of the neighbours in respect of the incident complained of.

Considering the gravity of the offence and the involvement of the petitioners in the incident as transpiring from the materials in the case diary, 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) 1867 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)