

25.08.2023
(M/L 486)
Ct. No.29
Rejected
(SKB)

CRM (A) 3306 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baduria P.S. Case No.657 of 2022 dated 27.09.2022 under Sections 498A/406/376/511/34 of the Indian Penal Code.

In the matter of : Shyamal Sarkar

... Petitioner

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha

... for the petitioner

Mr. Bidyut Kumar Roy,
Ms. Sima Biswas

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is the father-in-law of the informant victim.
3. We are shocked to find that the daughter-in-law could not even get protection from her mother-in-law and husband against the evil eyes of the present petitioner who is stated to be 52 years old. The petitioner is so pervert that he even could not leave his daughter-in-law, who is at par with his daughter in the eye of the society.
4. Though the allegation is subject to be proved in the trial, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner especially in view of the nature of allegation.
5. The prayer for anticipatory bail is rejected.
6. Accordingly, CRM(A) 3306 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)