

22.11.2023

SL. 42

Court No. 29

Sourav

(Rejected)

C.R.M. (A) 4442 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Margram** Police Station Case No. **36** of **2023** dated **08.03.2023** under Sections **341/448/325/302/34** IPC (corresponding to G.R. Case No. 323 of 2023).

And

In the matter of: **Anjita Mal @ Sakuntala Mal**

....petitioner.

Mr. Sujoy Sarkar

...for the petitioner.

Ms. Zareen N. Khan

Mr. Arup Sarkar

...for the State.

1. Heard learned Counsel for the parties.
2. On perusal of the entire materials as placed before us including the statement of the witnesses as recorded under Section 161 Cr.P.C., statement of the daughter of the victim as recorded under Section 164 Cr.P.C. and the post mortem report of the deceased, it appears to this Court that there is direct allegation as against the present petitioner to the effect that the present petitioner and her other family members mercilessly assaulted the deceased on the allegation of her illicit relationship with a person who belongs to the family members of the present petitioner.
3. Considering the seriousness of the crime and the *prima facie* involvement of the present petitioner in the alleged crime, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner.
4. Accordingly, the prayer for anticipatory bail is rejected.

5. The application being **CRM (A) 4442 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

