

03.01.2023
Sl.42
Court No.29
(AD)
(Rejected)

C.R.M. (A) 6101 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.2314 of 2020 arising out of **Samsherganj** Police Station Case No.**265 of 2020** dated **06.12.2020** under Sections **498A/302/314/34** of the Indian Penal Code subsequently charge sheeted under Sections **498A/304B/34** of the Indian Penal Code.

And

In the matter of: **Manija Bibi**

....petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder

... for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

Mr. Tapodip Gupta

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that two brother-in-laws of the victim were granted bail by the jurisdictional Court. The police filed charge sheet and, therefore, custodial interrogation of the petitioner is not required. The husband is still in custody.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the death of the victim was within one year of marriage by manual strangulation. He draws the attention of the Court to the materials in the case diary implicating the petitioner.

The opinion of the autopsy doctor is that the death was due to effects of ante-mortem manual strangulation or throttling and homicidal in nature.

Considering the gravity of the offence and the involvement of

the petitioner therein as transpiring from the materials in the case diary, 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) 6101 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)