

06.06.2023
SL No.75
Court No.1
(gc)
(Rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 247 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Mathabhanga Police Station Case No.589/22, dated 30.09.2022 under Sections 498(A)/406/34 of the Indian Penal Code.

And

In the matter of : **Samiul Haque**

- Petitioner.

Mr. Subhasish Misra

... For the Petitioner.

Mr. Ujjwal Luksom,

Ms. Namrata Das,

... For the State.

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated. The wife has voluntarily left the matrimonial home.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and has produced medical examination report to show the nature and extent of the physical assault.

Considering the materials available on record and the nature and extent of the injury suffered by the de facto complainant, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected and disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)