

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

21.08.2023
Court No.1
(AK 41)

CRM(A) 592 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Cooch Behar Women (Sadar) Police Station Case No. 63 of 2023 dated 27.05.2013 under Sections 498A/326/307 of the IPC, 1860.

And

In the matter of: **Ajijul Haque**

.**Petitioner.**

Mr. Hillol Saha Podder
Ms. Mousumi Das

... For the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Tapan Bhattacharjee
Mr. Subhasish Misra

... For the State.

The apparent contradiction between the statement made by the de-facto complainant in the 164 statement and the statement made by the Sessions Judge, Cooch Behar, are recorded. However, in the de-facto complaint's statement under Section 164 of the CrPC, it has been clearly recorded that the de-facto complainant was tortured and was forced to swallow broken glass particles.

Considering the gravity of the charge, we are of the view that the prayer for anticipatory bail should not be allowed.

The application for anticipatory bail being CRM(A) 592 of 2023 is accordingly rejected and disposed of for the above reasons.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)