

5.09.2023
Item no.13
Court No.01
P.P./S.D.

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

CRM (A) 670 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re: Alok Kumar Roy & Anr.

.... Petitioners

Mr. Jaydeep Kanto Bhowmik

Mr. Chinmoy Roy

Mr. Sayantan Bhowmik

Ms. Rikta Sarkar

....for the petitioners

Mr. Abhijit Sarkar,

Mr. Subhasish Misra

..... for the State

Apprehending arrest in connection with Jalpaiguri Women Police Station Case No. 23 of 2023 dated 27.04.2023 under Sections 498A/494/302/34 of the Indian Penal Code, 1860, read with Section 3/4 of Dowry Prohibition Act, the present application has been preferred.

Mr. Bhowmik, learned advocate appearing for the petitioners strenuously argues that the petitioners have been falsely implicated in the alleged offence. No specific overt act has been attributed to the petitioners. Upon completion of investigation, chargesheet has also been submitted and in view

thereof, custodial interrogation of the petitioners may not be necessary.

Mr. Misra, learned Advocate appearing for the State opposes the petitioners' prayer and draws our attention to the seizure list, the statements of the witnesses and the contents of the complaint.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the manner in which the offence has taken place and the possible extent of complicity of the petitioners in the alleged offence, we are not inclined to exercise discretion in their favour and their prayer for anticipatory bail is refused.

CRM (A) 670 of 2023 is dismissed.

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

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)