

10.01.2024

Serial no. 33
Anticipatory bail
[Rejected]
Dd

CRM (A) 41 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Howrah Women** Police Station FIR No. **47** of **2023** dated **15/11/2023** under Sections **498/323/307/406/506/379** of the Indian Penal Code, 1860.
(G.R. Case No. 5728 / 2023)*

-And-

In the matter of : **Swapan Paul**

... ..**Petitioner**

Mr. Pintu Karar,
Ms. Sayami Karar Advocate
... .. For the Petitioner

Mr. S. S. Imam,
Ms. Jonaki Saha, Advocate
... ...For the State

*Mr. Satadru Lahiri,
Mr. Sourav Paul,
Ms. Sitashree Mistry,
Ms. Payel Panja, Advocates
... ...For the de facto complainant*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the police complaint was lodged three years after marriage.

State and the de facto complainant are represented.

Learned advocate appearing for the de facto complainant submits that the petitioner attempted to surrender four times before the jurisdictional Court and not pressed the application when, the Court expressed a particular view.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim. He submits that the injury report suggests that the petitioner

attempted to throttle the victim. There are nail marks on the neck of the victim.

We perused the materials in the case diary.

The injury report specifies that there are nail marks on the neck of the victim.

Victim implicates the petitioner not only in the incident of assault but also mental and physical torture.

Petitioner is the husband of the victim.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 41 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)