

16.01.2024

Serial no. 09
Anticipatory bail
[Rejected]
Dd

CRM (A) 100 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kirnahar** Police Station Case No. **115** of **2023** dated **22nd** **Day** **of** **August**, **2023** under Sections **498(A)/323/307/506/504/120(B)** of the Indian Penal Code, 1860 read with **3/4** Dowry Prohibition Act..
(G.R. Case No. 866 /2023)*

-And-

In the matter of : **Md. Sabur Haque**
... ..**Petitioner**

Mr. Niladri Sekhar Ghosh,
Mr. Sourav Mondal,
Ms. Sompurna Chatterjee,
Ms. Laboni Shikdar, Advocates
... .. For the Petitioner

Mr. Shibaji Kumar Das, Advocate
... ..For the State

Petitioner before us claims to be a Border Security Force personnel and being on duty on June 15, 2023 when the incident is alleged to occur. Reliance in this regard is placed on a writing dated June 17, 2023 seeking earned leave of the petitioner for the period from June 19, 2023 onwards.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State refers to the materials in the case diary and submits that, police complaint was lodged within 1 and ½ years of marriage. There are prior incidents of the petitioner being involved in demand for dowry and torture upon the de facto complainant. Mediations were held with regard to matrimonial disputes but failed.

The case diary contains statements of the neighbours which speaks of the petitioner being involved in the torture and demand for dowry on the de facto complainant over a period of time.

The police complaint relates to an incident of June 16, 2023.

However, considering the materials in the case diary which implicates the petitioner in demand for dowry as well as torture on the de facto complainant, we are unable to grant anticipatory bail to the petitioner.

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

CRM (A) 100 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)