

05.02.2024
ML-3
Court No.29
(AD)
(Rejected)

C.R.M. (A) 335 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No.**1722 of 2023** dated **02.12.2023** under Sections **498A/306** of the Indian Penal Code, 1860.(G.R. Case No.5713 of 2023).

And

In the matter of: **Sabira Bibi @ Sabira Khatun**

....petitioner.

Mr. Joisan Iqubal Hossain

... for the petitioner.

Mr. Tanmay Kumar Ghosh

Ms. Baisali Basu

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police case was initiated only against the petitioner. Husband of the victim was not roped in the proceedings under Section 498A of the Indian Penal Code, 1860. There is a child of one year six months with the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the death took place within six months of marriage. He refers to the statement of the husband recorded under Section 161 of the Code of Criminal Procedure as also the brother of the victim.

Apparently, the victim committed suicide within six months of marriage. Suicide was committed at her matrimonial home. Husband of the victim in his statement stated that, petitioner was instrumental in constantly torturing the victim on the ground that she was from a poor family. Brother of the victim also implicated the petitioner before us.

Considering the materials in the case diary and the complicity of the petitioner in the incident, we are unable to

grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 335 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)