

29.04.2024
DL-36
Court No.29
(AD)
(Rejected)

C.R.M. (A) 1398 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pandua** Police Station Case No. **46 of 2024** dated **29.01.2024** under Sections **417/376(2n)/313/504/506** of the Indian Penal Code, 1860. (G.R. Case No.278 of 2024)

And

In the matter of: **Asib Hossain Mollah**

....petitioner.

Ms. Shetparna Ray
Mr. Soupal Chatterjee
Mr. Anupam Das

... for the petitioner.

Mr. Arnab Chatterjee
Mrs. Rituparna Saha

... for the State.

1. De facto complainant recorded a statement under Section 164 of the Code of Criminal Procedure where she implicates the petitioner.
2. There are materials in the case diary where, the petitioner, although not the husband of the de facto complainant, impersonated himself as husband of the de facto complainant and caused forceful miscarriage.
3. Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioner as transpiring therefrom, we are unable to grant anticipatory bail to the petitioner.
4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
5. **C.R.M. (A) 1398 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)