

23.04.2024
Item No.10
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1397 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Garhbeta** Police Station Case No. **53/24** dated **23.02.2024** under Sections **498A/323/325/307/494/354A/354B/506/34** of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

And

In the matter of : Hasen Bhangsi & ors.

..... petitioners

Ms. Pampa Dey (Dhabal)
....for the petitioners

Mr. Arindam Sen,
Mr. Rahul Ganguly
....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, husband is not residing with them subsequent to second marriage. Petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code as also statements of neighbours recorded under Section 161 of the Criminal Procedure Code thereof.

The de facto complainant makes out a case of torture for demand of dowry. She claims that, she was physically assaulted.

Her statements stand corroborated by the neighbours.

Considering the materials in the Case Diary and the involvement of the petitioners in the incident, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1397 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)