

26.04.2024
Item No.3
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1459 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Muchipara** Police Station Case No. **40** dated **24.03.24** under Sections **498A/406/506/34** of the Indian Penal Code, 1860.

And

In the matter of : Rishabh Ray & ors.

..... petitioners

Ms. Sibangi Chattopadhyay
....for the petitioners

Mr. Sujan Chatterjee
....for the State

Mr. Prosenjit Mukherjee,
Ms. Manisa Mandal
....for the de facto complainant

Supplementary affidavit filed in Court be taken on record.

Petitioner no.1 is the husband, petitioner no.2 is mother-in-law, petitioner nos.3 and 4 are the aunt-in-laws of the de facto complainant.

Learned advocate appearing for the petitioners submits that, the de facto complainant left the matrimonial home voluntarily in 2013. Petitioner no.1 and the de facto complainant started living separately in a different flat. De facto complainant left the flat in 2022.

Learned advocate for the petitioners submits that, the Investigating Officer visited the residence of the petitioners whereupon, the pair of gold bangle were snatched from the petitioner no.2. Such gold bangles seized do not belong to the de facto complainant.

State and the de facto complainant are represented.

Learned advocate for the de facto complainant refers to the materials in the Case Diary.

Learned advocate for the de facto complainant submits that, the de facto complainant was continuously tortured both physically and mentally by the petitioners. De facto complainant and the petitioner no.1 started living separately at the flat provided by the father of the de facto complainant. Streedhan articles made over at the time of marriage. Such Streedhan articles are yet to be recovered.

Materials in the Case Diary make out a case for investigation as against the petitioners. There are statements suggest that, petitioners were involved physical and mental torture to the de facto complainant.

De facto complainant and the petitioner no.1 were staying together at a premise provided by the father of the de facto complainant.

Streedhan articles are yet to be recovered.

Enlarging the petitioners at this stage will be inimical to the investigation.

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

This application for anticipatory bail is, thus, rejected.

CRM(A) 1459 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)