

25.04.2024
Item No.6
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1448 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Basirhat** Police Station Case No. **250/24** dated **12.04.2024** under Sections **498A/302/304B/406/34** of the Indian Penal Code, read with Section **4** of the Dowry Prohibition Act.

And

In the matter of : Prasanta Kumar Ghosh @ Prasanta Ghosh & anr.
..... petitioners

Mr. Sudipto Moitra, Sr. Advocate
Mr. Subhasish Pachhal,
Mr. Siraj Gooptu,
Mr. Subhajay Sen
....for the petitioners

Ms. Minoti Gomes,
Mr. Mainak Gupta
....for the State

Petitioners are parents-in-law of the victim.

Learned Senior Advocate appearing for the petitioners submits that, both the petitioners are aged. Petitioner no.1 is suffering from a medical relation relating to the Kidney. Husband surrendered and is in custody.

Learned advocate appearing for the State draws the attention of the Court to the Post Mortem Report and the statements of neighbours recorded under Section 161 of the Criminal Procedure Code.

Post Mortem Report suggests that, the death was due to hanging ante mortem in nature.

Statements of the neighbours recorded under Section 161 of the Criminal Procedure Code suggest that, petitioners were involved in continuously torturing the victim both physically and mentally for dowry. On the fateful date of the incident, she was tortured. After the victim was discovered hanging, the petitioners fled away from the spot. The villagers took the victim to the hospital.

Considering the materials in the Case Diary, gravity of the offence and the involvement of the petitioners as transpiring therefrom, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1448 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)