

24.05.2024
Item No.4
Ct. No. 3
CHC
Rejected

C.R.M.(A) 1802 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Liluah** Police Station Case No. **252** of **2024** dated **10.05.2024** under Sections **498A/323/379/325/506/34** of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act.
And

In the matter of : Karam Chand Gupta & ors. petitioners

Mr. Brajesh Jha,
Ms. Megha Datta
....for the petitioners
Mr. Iqbal Kabir,
Mr. Tirupati Mukherjee
....for the State

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Seth
....for the de facto complainant

Petitioners pray for anticipatory bail.

Petitioners, State and the de facto complainant are represented.

Learned advocate appearing for the petitioners submits that, petitioners were falsely implicated.

Learned advocate appearing for the de facto complainant submits that, there is close circuit television footage of the assault on the de facto complainant. He also relies on certain photographs. He submits that, the de facto complainant try to meet the Investigating Officer to make over such evidences to

the Investigating Officer when the de facto complainant was informed that Investigating Officer was busy in election duty.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary.

Materials in the Case Diary contains *inter alia* statement recorded under Section 161 of the Criminal Procedure Code of neighbours.

The neighbours in their statements stated that, the petitioners were involved in both physically and mentally torturing the de facto complainant to obtain Rs.10 Lakhas from her parental home in order to repay a loan taken by the family members of the husband of the de facto complainant.

Materials in the Case Diary suggest requirement of investigation.

Enlarging any of the petitioners on anticipatory bail will be inimical to such investigation.

Consequently, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1802 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)