

06.08.2024

Court No.29

Item No. 75

Rejected

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CRM (A) 2695 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Daspur Police Station Case No. 110 of 2024 dated 05.03.2024 corresponding to G.R Case No. 204 of 2024 under Sections 498A/307/406 of the Indian Penal Code.

And

In Re: Akul Chandra Samanta

Petitioner

Ms. Suchitra Chatterjee

For the Petitioner

Mr. Atif Ahmed Siddiqui

For the State

1. Learned counsel for the petitioner submits that the de-facto complainant has made a false complaint due to matrimonial discord.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the de-facto complainant and the child.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence, as transpired from the statement of the victim and the child, which directly implicates the petitioner's involvement in physical and mental torture to the victim and the injury sustained by the wife of the petitioner due to physical assault by the petitioner, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected and the same is accordingly disposed of.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)