

02.01.2024

Serial no.
Anticipatory bail
[**Rejected**]
Dd

CRM (A) 4269 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Gopal Nagar** Police Station Case No. **552** of **2023** dated **01.09.2023** under Sections **498A/406** of the Indian Penal Code, 1860 and under Sections **3 & 4** of Dowry Prohibition Act. (G.R. Case No. 3050/2023)*

-And-

In the matter of : **Abusuphian Mondal & Ors.**
... ..**Petitioners**

Mr. Tanmoy Kr. Ghosh, SGA
Ms. Sonali BHar, Advocates
... ...For the State

None appears for the petitioners.

State is represented.

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary. We find that there are allegations as against the petitioners in the offences alleged. Statements recorded under Section 161 of the Criminal Procedure Code suggest that the victim was assaulted on failure to pay dowry.

In such circumstances, considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners or confirm the interim order dated October 16, 2023.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 4269 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)