

03.01.2024

Serial no. 60
Anticipatory bail
[Rejected]
Dd

CRM (A) 4364 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Phoolbagan** Police Station Case No. **69** dated **April 15, 2023** under Sections **498A/406/307/506/354B/354D/34** of the Indian Penal Code, 1860 r/w Sections **3 & 4** of Dowry Prohibition Act.*
(G.R. Case No. 894/2023)

-And-

In the matter of : **Viplov Prasad**
... ..**Petitioner**

Mr. Ayan Bhattacharjee,
Ms. Ritu Das, Advocates
... .. For the Petitioner

Mr. Avishek Sinha, Advocate
... ..For the State

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.

Learned advocate appearing for the petitioner submits that the co-accuseds were granted anticipatory bail or bail from time to time. He submits that the petitioner is a pilot of an Airline with the de facto complainant being airhostess.

Learned advocate for the State draws the attention of the Court to the contents of the police complaint. He also draws the attention of the Court to the materials in the case diary and to the order dated July 14, 2023 passed by the co-

ordinate Bench granting anticipatory bail to the co-accuseds in CRM(A) 2700 of 2023.

The co-ordinate Bench noted the injuries of the de facto complainant stating that the assault on the de facto complainant on her neck was done by the petitioner herein.

The injury report of the de facto complainant read with her statement, show that the petitioner assaulted the de facto complainant. Petitioner is the husband of the de facto complainant.

There are other materials in the case diary implicating the petitioner. Enlarging the petitioner on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim anticipatory bail granted on October 16, 2023 or grant anticipatory bail to the petitioner.

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

CRM (A) 4364 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)