

11.01.2024
Item No.7
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4440 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Purulia (M)** Police Station Case No. **144** of **2023** dated **19.06.2023** under Sections **498A/313/34** of the Indian Penal Code and Section **4** of the Dowry Prohibition Act.

And

In the matter of : Sk. Sahan & ors.

..... petitioners

Mr. Sauradeep Dutta,
Mr. Arpayan Mukherjee,
Mr. S. Dutta,
Mr. S. M. Mandal

....for the petitioners

Mr. Gautam Banerjee
....for the State

The application is taken up for consideration subsequent to order dated January 4, 2024.

There subsist an order dated October 16, 2023 granting ad interim anticipatory bail by the coordinate Bench.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We perused the materials in the Case Diary.

Petitioner no.1 before us is husband. The other petitioners are the in-laws of the de facto complainant.

The Case Diary does not contain the materials with regard to the allegation under Section 313 of the Criminal Procedure Code.

However, there are materials which require investigation with regard to other provisions of the Indian Penal Code, 1860 and the Dowry Prohibition Act.

In such circumstances, we are unable to confirm the interim order dated October 16, 2023 or grant anticipatory bail to any of the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4440 of 2023 are disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)