

04.01.2024
Item No.118
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4567 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **696/2023** dated **31.08.2023** under Sections **498(A)/325/307/34** of the Indian Penal Code.

And

In the matter of : Dildar Ali Sekh @ Dildai Ali Sekh

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Debasish Roy, Ld. P.P.

Mr. Aniket Mitra,

Ms. Jonaki Saha

....for the State

Petition is taken up for consideration subsequent to the order dated October 16, 2023 passed by the co-ordinate Bench.

By such order, the coordinate Bench granted interim anticipatory bail to the petitioner.

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 is the husband before us.

There are allegations of torture and assault on the wife of the petitioner meted out by the petitioner.

In such circumstances, we do not find it appropriate to confirm the interim order dated October 16, 2023 or grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4567 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)