

10.01.2024

DL8
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4749 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No.**646 of 2023** dated **08.08.2023** under Sections **498A/323/307/34** of the Indian Penal Code, 1860 and under Sections **3 and 4** of the Dowry Prohibition Act .(G.R. Case No.5365 of 2023).

And

In the matter of: **Md. Danesh @ Danesh Sarkar**

....petitioner.

Md. Wasim Akram

... for the petitioner.

Mr. Debasish Roy, Ld. PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

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

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

We find that the petitioner is the husband of the de facto complainant. He contacted a second marriage.

There are materials in the case diary implicating the petitioner in the offences alleged.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 4749 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)