

08.01.2024

Serial no. 144

Anticipatory bail

[Rejected]

2d

CRM (A) 4765 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ranitala** Police Station Case No. **351** of **2023** dated **03.10.2023** under Sections **498A/34** of the Indian Penal Code, 1860.
(G.R. Case No. 3297 /2023)*

-And-

In the matter of : **Akbar Ali**

... ..**Petitioner**

Mrs. Minoti Gomes,
Ms. Chandruna Debnath, Advocates
... ... For the Petitioner

Mr. Rafiqul Islam,
Mr. S. S. Saha, Advocates
... ...For the State

Petition is taken up for consideration subsequent to order dated October 17, 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.

The police complaint was lodged within 3 years of marriage.

Petitioner before us is the husband.

Materials in the case diary suggest requirement of investigation. Enlarging the petitioner on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order granted on October 17, 2023 or grant anticipatory bail to the petitioner.

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

CRM (A) 4765 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)