

10.01.2024
Item No.205.
Ct. No. 29
AB
Rejected

C.R.M.(A) 4856 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **997/2023** dated **2.8.2023** under Sections **498A/325/354/328/34/307** of the Indian Penal Code, 1860 read with Sections 3 /4 of the D. P. Act

And

In the matter of : **Sarfaraj Mian @ Sarfaraj Mia**Petitioner.

Mr. Musharraf Alam Sk.for the Petitioner

Mr. Goutam Wilsonfor the State

Petition is taken up for consideration subsequent to the order dated October 18, 2023.

By such order, 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 before us is the husband.

The police complaint was lodged within two years of marriage.

Material in the case diary makes a case for investigation.

Enlarging the petitioner, who is the husband of the defacto complainant, on anticipatory bail will be inimical to the investigation.

Under such circumstances, we are unable to confirm the interim order dated 18.10.2023.

This application for anticipatory bail is, thus, rejected.

CRM (A) 4856 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)