

11.01.2024

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 4871 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Paikar** Police Station Case No. **283 of 2019** dated **16.09.2023** under Section **498A/307/34** of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

And

In Re : Bani Esrail Sekh & Ors.

..... petitioners

Mr. Sabir Ahmed

Md. Kutubuddin

Ms. Suman Biswas

Mr. Tasnim Ahmed

...for the petitioner

Md. Rafiqul Islam

Mr. Shasanka Sekhar Saha

...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 by the Coordinate Bench.

By such order dated October 18, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

In the case diary, our attention was drawn to the post mortem report of the victim. The case diary contains a dying

declaration where the victim stated that she was tortured by her in-laws and that she consumed floor cleaning liquid.

Such declaration implicates the petitioners in the torture being meted out.

Apparently, involvement of the petitioners in the incident requires investigation.

In such circumstances, we are unable to confirm the interim order dated October 18, 2023 or to grant anticipatory bail to any of the petitioners and the prayer of anticipatory bail is rejected.

The application being CRM (A) 4871 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)