

10.01.2024
Item No.268.
Ct. No. 29
AB
Rejected

C.R.M.(A) 4936 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Narayanpur** Police Station Case No.**123/2023** dated **22.08.2023** under Sections **498A/307/406** of the Indian Penal Code, 1860 read with Sections 3 /4 of the D. P. Act

And

In the matter of : **Dr. Sarafat Ali @ Sarafat Ali**

.....Petitioner.

Md. Mokaram Hossain,
Md. Razzak Hossain for the Petitioner

Mr. Imran Ali,
Ms. Sutapa Banerjee for the State

Petitioner claims to be a doctor by profession and employed with the Government hospital.

The police complaint was lodged within three years of marriage.

The defacto complainant was assaulted. Medical documents corroborate such statement.

The defacto complainant recorded her statement under Section 164 of the Code of Criminal Procedure where she stated that, after marriage she requested the petitioner to take her to the matrimonial home. Initially, over a period in excess of six months, she was not taken to her matrimonial home. Phone was blocked by the petitioner. Defacto complainant thereafter visited the hospital where the petitioner was working. Petitioner

then took her on an auto rickshaw ostensibly to the matrimonial home. At a convenient place, petitioner deboarded the auto rickshaw, assaulted her and left her alone.

Considering the gravity of the offence and the involvement of the petitioner as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM (A) 4936 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)