

06.03.2024
Item No.23 with 24
Ct. No. 29
CHC
Rejected

C.R.M.(A) 5005 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **913** dated **23.09.2023** under Sections **498A/324/406/34** of the Indian Penal Code.

And

In the matter of : Dilip Kumar Das & ors.

..... petitioners

With

C.R.M.(A) 5006 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **913** dated **23.09.2023** under Sections **498A/324/406/34** of the Indian Penal Code.

And

In the matter of : Dr. Deepak Kumar Das

..... petitioner

Mr. Pradipta Verma,
Mr. Biswajit Pasayat,
Mr. Pramod Rout,
Mr. Habibur Rahaman,
Ms. Jasika Alam,
Mr. Archishman Singh
....for the petitioners

Mr. Rafiqul Islam,
Mr. Goutam Wilson
....for the State

Mr. Surya Prasad Chattopadhyay,
Mr. Arjun Samanta
....for the de facto complainant

Two applications for anticipatory bail are taken up subsequent to the order dated February 6, 2024.

Applications for anticipatory bail were adjourned from time to time on the ground that, there is a mediation proceeding pending between the de facto complainant and the petitioner who is her husband.

Today, learned advocate appearing for the petitioners invites the Court to dispose of the application for anticipatory bail on merits as he submits “he hopes” that the mediation proceeding fails.

State and the de facto complainant are represented.

Materials in the Case Diary suggest that, the de facto complainant was subjected both physical and mental torture over a period of time at the behest of the petitioners.

Materials in the Case Diary suggest requirement of investigation of the petitioners. Enlarging the petitioners on anticipatory bail will be inimical to such investigation.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5005 of 2023 and CRM(A) 5006 of 2023 are disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)