

02.02.2024
755
Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 5478 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandrakona** Police Station Case No. **371 of 2023** dated **05.11.2023** under Sections **498A/323/354/406/34** of the Indian Penal Code and under Sections 3 and 4 of the Dowry Protection Act.

And

In Re: Rajesh Dab & Anr.

..... petitioners

Mr. Sayantan Hazra

...for the petitioners

Mr. Mainak Gupta

...for the State

Mr. Debajyoti Deb

Mr. Somdyuti Parekh

...for the defacto-complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate for the State draws the attention of the Court to the materials in the case diary which include the statement of the defacto-complainant recorded under Section 164 of the Cr.P.C.

The defacto-complainant is represented.

Police complaint was lodged within three years of marriage.

Apparently, the defacto-complainant is being tortured and dowry demanded; more particularly for giving birth two twin daughters.

The materials in the case diary suggest requirement of investigation of the role of the petitioners.

Enlarging any of the petitioners on anticipatory bail will be inimical to such investigation.

In such circumstances, we are unable to grant anticipatory bail to the petitioners and the prayer for anticipatory bail is rejected.

The application being **CRM (A) 5478 of 2023** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)