

12.12.2024
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Rejected

C.R.M. (A) No. 4329 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kotwali Police Station Case No. 437 of 2024 dated 06.11.2024 under Sections 85/316(2)/117(2)/351(2)/3(5) of the BNS and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Biswajit Dutta petitioner

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Mr. Ranabeer Halder

.....for the petitioner

Mr. Iqbal Kabir
Mr. Bikram Mitra

..... for the State

Mr. Arindam Jana
Mr. Sumanta Das

..... for de facto complainant

1. Liberty is granted to correct the cause title.
2. Learned Counsel for the petitioner submits he is the husband of the victim lady. It is also submitted he has been falsely implicated over a domestic quarrel. He prays for anticipatory bail.
3. Learned Counsel for the State opposes the prayer for anticipatory bail.
4. Learned Counsel for the *de facto* complainant submits petitioner had a previous marriage. He is a habitual drunkard and tried to throttle his wife to death.

5. We have considered the materials on record. Statements of witnesses show petitioner used to regularly assault his wife. On the fateful day he tried to throttle her to death. Ocular version is corroborated by medical evidence. Hence, we are not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, prayer for anticipatory bail is rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)