

06.03.2025
Sl. No.18
akd
[Rejected]

C. R. M. (A) 792 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 27.02.2025 in connection with Bakultala Police Station Case No.510 of 2024 dated 08.11.2024 under Sections 85/80/103(1)/351(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 9/10 of the Prohibition of Child Marriage Act and subsequently charge sheet submitted under Sections 85/80/351(2)/61(2)/64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act read with Section 4 of the Dowry Prohibition Act against one accused and Sections 85/80//351(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 11 of the Prohibition of Child Marriage Act read with Section 4 of the Dowry Prohibition Act.

And

In Re: ***Habibur Gazi @ Habibur Rahaman Gazi***

... .. Petitioner

Mr. Pronojit Roy
Mr. Ashutosh Mondal

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Kaustuv Banerjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is the uncle-in-law of the victim lady. He has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Victim is a minor. She was married to another minor. Petitioner is her uncle-in-law. Statements of witnesses show victim was subjected to torture over demands of dowry and she committed suicide at the matrimonial home. Role of the petitioner and other in-laws i.e. adult members in the household is pre-dominant in demanding dowry and subjecting her to cruelty. Under such circumstances we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)