

05.10.2020
(32) KC

C.R.M. 7393 of 2020
With
CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No. 380 of 2020 dated 27.07.2020 under Sections 363/365 of the Indian Penal Code.

In the Matter of : Chaya Mondal and Anr.
.... petitioners.

Mr. Sandip Chakraborty.....For the petitioners.

Mr. S.S. Imam,
Mr. Subrato Roy.....For the State.

The advocate-on-record for the petitioners undertakes to affirm and properly stamp the petition as per the rules within forty eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The alleged offence is kidnapping of an adult lady. The defence which has been set up is elopement. The victim is untraced till date.

The alleged incident occurred on 23rd February, 2020. The petitioners are mother and brother of the principal accused. The principal accused, the son of the first petitioner has also not been located.

Since the incident took place on 23rd February, 2020, the principal accused is untraced and no steps have been taken by the police against the petitioners,

in those circumstances, we allow the application for anticipatory bail.

Subject to the above, in the event of arrest, the petitioners will be released on bail upon furnishing security of Rs. 10,000/- (Rupees Ten Thousand) each together with personal release bond of equivalent value each to the satisfaction of the arresting officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 7393 of 2020 and the interim application filed therein are disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)

