

**CRM 7584 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.549 of 2020 dated 14.07.2020 under Sections 363/364A of the Indian Penal Code.

And

In the matter of: **Samirul Miya & Anr.**

.... Petitioners

Mr. Arup Kumar Bhowmick

... For the Petitioners

Mr. Nuguive Ahmed

Ms. Anita Gaur

Ms. Monisha Sharma

... For the State

Mr. Dhananjoy Banerjee

... For the de-facto complainant

The petitioners undertake to affirm and stamp the petitions as per the Rules within one week of resumption of normal functioning of the court. The petitions are taken up through video conference on the basis of such undertaking.

The matter pertains to a charge of kidnapping. The de-facto complainant is represented and says that the first petitioner here is the brother of the de-facto complainant and the de-facto complainant's son had gone with his uncle.

The State says that there is material showing that there was a ransom demanded and the ransom may have been paid to obtain the release of the child.

In the light of the above, notwithstanding the de-facto complainant virtually abandoning the complaint, it cannot be

assessed without doubt as to whether the de-facto complainant is under any pressure to make such submission or the child who had been abducted is under further threat.

CRM 7584 of 2020 is disposed of by declining the prayer for bail. However, it will be open to the de-facto complainant and the petitioners herein to approach the trial court for the trial court to satisfy itself upon examining the relevant persons and taking an appropriate decision in the matter.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)