

25-11-2020
Subha
Court No. 8.
Item no.28
Anti-cipatory
bail Allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.9159 of 2020

Milton Biswas

-vs-

The State of West Bengal
(via video conference)

In Re: An application for **anticipatory bail** under **Section 438 CrPC** apprehending arrest in connection with Chakdah P.S. Case No.585 of 2014 dated September 9, 2014 under sections 363/366A/34 of the Indian Penal Code(G. R. Case No. 1381/2014).

Mr. Shibaji Kumar Das
Ms. Puspa Sreemani

...for the petitioner.

Mrs. Sukanya Bhattacharyya
Md. Kutubuddin

... for the State.

The advocate-on-record for the petitioner 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 of 2014 relating to abduction of a minor girl.

Learned advocate for the petitioner submits that the victim has deposed that the petitioner had not abducted her. This statement could not be controverted by the learned advocate appearing for the State. However, learned advocate for the State says that the petitioner was absconding for six years and his custodial interrogation is required.

Considering all the factors, we are of the view that the

petitioner's custodial interrogation is not required at this stage.

However, in the facts and circumstances the petitioner shall be required to furnish two local sureties to the satisfaction of the arresting officer. This application for anticipatory bail is allowed subject to the condition above and the conditions below.

In the event of arrest, the petitioner will be released on bail upon furnishing security of Rs.10,000/- (Rupees ten thousand only) together with personal release bond of equivalent value to the satisfaction of the arresting officer.

The petitioner shall also comply with the conditions laid down in section 438(2) of the Code of Criminal Procedure.

CRM 9159 of 2020 is, thus, disposed of.

[I.P. Mukerji, J]

[Md. Nizamuddin,J.]

