

27.11.2020

BP/BR
Sl.27

CRM 9405 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Palashipara Police Station Case No. 208 of 2020 dated 25.07.2020 under Sections 363/366/34 of the Indian Penal Code.

In the matter of : Ashalata Mondal & Anr.....
petitioners

Ms. Karabi Roy
..for the petitioners.

Mr. Imran Ali
..for the State.

The petitioners undertake to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

It is submitted by the learned advocate for the petitioners that the petitioners are innocent in nature. They have been falsely implicated in the present case. The petitioner no.1 is the mother and the petitioner no.2 is uncle. Furthermore, the uncle resides separately. Therefore, court should grant the

anticipatory bail to the petitioners.

Learned advocate for the State opposes the prayer for anticipatory bail and submits that the victim girl has not yet been recovered. Therefore, court should not allow the application for anticipatory bail.

Considering the submissions as advanced by the learned advocates for the parties and also considering the gravity of the case that the victim girl has not yet been recovered, in our considered view, the application for anticipatory bail should not be allowed.

Accordingly, the application for anticipatory bail is rejected.

The application for anticipatory bail being C.R.M. 9405 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Kausik Chanda, J.)