

15.12.2020
Sl. No.123
akd
[ALLOWED]

C. R. M. 10007 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No.103 of 2020 dated 23.07.2020 under Sections 363/365/506 of the Indian Penal Code. (G.R. Case No.1177 of 2020)

And

In Re: ***Bithin Sarkar & Ors.***

... .. Petitioners

Mr. Tanmay Basu .. Advocate

Mr. Arun Shaw .. Advocate

... .. for the petitioners

Mr. S. S. Imam .. Advocate

Mr. Subrata Roy .. Advocate

... .. for the State

Allegation of kidnapping the victim girl may be assessed in the light of the submission that there was a love affair between the principal accused and the victim girl and they had eloped. Petitioners are the abettors of the principal accused. Under such circumstances and as the victim girl had already been recovered, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely ***(1) Bithin Sarkar, (2) Pintu Sarkar & (3) Sanjay Sarkar***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

