

18.
28-07-2021
(ct. no.32)
debajyoti

CRM 1435 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bidhannagar Police Station (BDN south) Case No.15 of 2021 dated 10-01-2021 under Sections 363/366 of the Indian Penal Code.

- A n d -

In the matter of : Sukanta Naiya

.... Petitioner.

Mr. Biplab Mitra,
Mrs. Trina Mitra (Kundu)

... For the Petitioner.

Mr. P. K. Datta, learned APP,
Mr. Santanu Deb Roy

... For the State.

The allegation against the petitioner is under Sections 363/366 of the Indian Penal Code.

We have been shown the statement of the victim girl recorded under Section 164 of the Code. There is no mention of the petitioner in such statement. All it says is that due to differences with her parents, she had left on her own for her aunt's house. Later, when she missed her parents, she returned home.

In that view of the matter, we do not see that immediate custodial interrogation of the petitioner is essential. We are inclined to allow this application.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station and

shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being CRM 1435 of 2021 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)