

28.07.2021
Item no.27
Court No.32.
S.De
(Allowed)

(Via Video Conference)

CRM No. 1556 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 05.02.2021 in connection with Nandakumar Police Station Case No. 04 of 2020 dated 04.01.2020 under Sections 363/365/506/366/34 of the Indian Penal Code.

And

In the matter of : Sumitra Bera.

.....Petitioner.

Mr. Amal Krishna Samanta, Advocate,
.....for the Petitioner.

Mr. Tapandeb Nandy, Advocate,
Mr. Antarikhya Basu, Advocate,
.....for the State.

The petitioner who is the mother of the prime accused submits that there was a love affair between her son and the victim girl and the victim girl eloped with her son.

The State refers to the statements in the case diary including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

Having considered the material on record including the statement of the victim girl under Section 164 of the Code of Criminal Procedure which is exonerative in nature, we are

inclined to hold that immediate custodial interrogation of the petitioner is not required, more so, as the petitioner is not a prime accused in the case.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer 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 1556 of 2021 is, thus, **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)