

17.09.2021
Item no.40.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 2566 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 9.3.2021 in connection with Islampur Police Station Case No.430 of 2017 dated 6.11.2017 under Sections 363/366/34 of the Indian Penal Code

And

In the matter of : Nur Alam Sk. @ Nur Alom

.....Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Ashim Debnath,
Ms. Debopriya Majumdarfor the Petitioner.

Mr. Arijit Ganguly,
Mr. S. K. Danfor the State.

The allegation is that the petitioner and two other accused persons kidnapped the victim girl and took her to Mumbai.

The petitioner says that there was a love affair between the petitioner and the victim girl.

We have seen the statements of witnesses in the case diary including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. The victim specifically implicates this petitioner as being the main person, who kidnapped her and took her to Mumbai.

The victim has been recovered. However, the charge is of a very serious nature. The petitioner says that the co-accused persons have been granted anticipatory bail by the learned Trial Court. However, from the material on record, we are of the view that the petitioner does not stand on the same footing as that of the other accused persons.

In view of the gravity of the offence and the extent of complicity of the petitioner therein, although charge sheet has been filed, we are not inclined to allow the petitioner's prayer for anticipatory bail.

C.R.M. No.2566 of 2021 is, accordingly, dismissed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)