

18.08.2021
Item no.49.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2735 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 15.03.2021 in connection with Nandigram Police Station Case No.435 of 2020 Dated 17.12.2020 under Sections 363/366 of the Indian Penal Code

And

In the matter of : Arijit Mondal

.....Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmikfor the Petitioner.

Mr. Nequive Ahmed, Id. APP,
Mr. Anowar Hossain,
Mr. N. P. Agarwala,
Ms. Subhasree Patelfor the State.

The allegation is that the petitioner, 24 years old, abducted the victim girl, 16 years old.

We have seen the material in the case diary including the statement of the victim girl. In no uncertain terms, the girl stated that since her parents were trying to get her married with somebody whom she did not like and she had a fancy for the petitioner, she eloped with the petitioner. The victim girl has been recovered. She refused to undergo medical examination. Charge sheet has been submitted.

On an overall assessment of the facts and circumstances of the case and the material on record and considering the extent of possible complicity of the petitioner in the commission of the alleged offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail.

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.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.2735 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.)

