

10. 15.09.2021

Ct.32

Tanmoy

Allowed

C.R.M. 5227 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **06/08/2021** in connection with **Jangipur Women Police Station Case No. 44/2021** dated **20/06/2021** under Sections **370/374** of the Indian Penal Code read with Section **14** of the Child Labour (Prohibition and Regulation) Act, 2016 and Sections **26/75/77** of the Juvenile Justice (Care & Protection of Children) Act, 2015.

And

In the matter of: - **Golab Hossain & Ors.**

...petitioners.

Mr. Milon Mukherjee, Ld. Sr. Adv.,
Mr. Biswajit Manna,
Mr. Dattatreya Dutta

...for the petitioners.

Mr. Rudradipta Nandy

...for the State.

The allegation is that the petitioner nos. 3 and 4 brought the victim girl to the petitioner nos. 1 and 2 to give her a better future since she had lost both her parents.

However, the petitioner nos. 1 and 2 made the girl to work as domestic help. After sometime, the girl somehow escaped and reported to the local police station. A Non Government Organization was brought into the picture and the present case was started against the petitioners under provisions of the Indian Penal Code, Child Labour (Prohibition and Regulation) Act and the Juvenile Justice (Care and Protection of Children) Act, 2015.

The petitioners say that they have been falsely implicated. They never tortured the girl. They acted in the best interest of the girl.

We have seen the statement of the victim girl in the Case Diary. The statement is not such as to *prima facie* implicate the petitioners. There is no report of any injury to the girl.

On an overall assessment of the material on record and the facts and circumstances of the case and the possible extent of complicity of the petitioners in the alleged offence, we are of the view that although charge-sheet is yet to be submitted, immediate custodial interrogation of the petitioners may not be necessary so long as they co-operate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, *viz.*, **1. Golab Hossain, 2. Rijia Bibi @ Rabia @ Rabiya Begam, 3. Raju Singh, 4. Sk. Sabir** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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.

In case the petitioners fail 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 being C.R.M. 5227 of 2021 is, accordingly, disposed of.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)