

26.03.2021
Court No.28
rpan /29

C.R.M. 10256 of 2020
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure;

And

In Re : **Gouri Patra**

- Petitioner.

Mr. Kamalesh Tarafdar,
Mr. Gobinda Chandra Baidya
... for the petitioner.
Md. Anwar Hossain,
Ms. Ratna Ghosh
... for the State.

Apprehending arrest in connection with Contai P.S. Case
No.63 of 2020 dated 14.08.2020 under Sections 363/365/34 of
the Indian Penal Code, the petitioner has filed the present
application.

The learned advocate appearing for the petitioner submits
that the petitioner has been falsely implicated and she is the
mother of the principal accused. The allegations levelled against
the petitioner are absolutely unfounded and in the said
conspectus, custodial detention of the petitioner is not necessary.

Md. Hossain, learned advocate appearing for the State
opposes the petitioner's prayer and draws our attention to the 164
statement of the victim girl.

Having heard the learned advocates and considering the
materials in the case diary, the statement of the victim girl as

recorded under Section 164 of the Code of Criminal Procedure, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Gouri Patra** shall be released on bail upon furnishing a bond of ₹10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No.10256 of 2020, is, thus, disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)