

28.06.2021

Court No.30

rpan/ **17**

C.R.M. 10888 of 2020
(Via video Conference)

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

And

In re: **Kabir Evan Mondal @ Bappa**

.....Petitioner.

Mr. Sanjib Bandopadhyay,

Mr. Biswajit Dutta,

Mr. Somraj Dhar

....For the Petitioner.

Mr. Prasun Kumar Datta,

Mr. Nirupam Dhali

....For the State

Apprehending arrest in connection with Marishda Police Station Case No.204 of 2020 dated 07.10.2020 under Section 365 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. The victim lady has already been recovered and is presently residing at her parental house. In view thereof, custodial interrogation of the petitioner is not warranted.

Mr. Dhali, learned advocate appearing for the State, has placed before us the statement of the victim girl, as recorded under Section 164 of the Code of Criminal Procedure. Let the documents, as produced, be kept on record.

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

as recorded under Section 164 of the Code, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Kabir Evan Mondal @ Bappa** 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. 10888 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.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)