

29.06.2021
Court No.30
Item No. 38
Krishnendu
Allowed

CRM 10930 of 2020
(Via video Conference)

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

And

In Re : **Bapan Bhakta @ Debabrata Bhakta**

Petitioner

Mr. Atis Kumar Biswas

For the Petitioner

Mr. Shiladitya Banerjee

Mr. N.P. Agarwala

For the State

Apprehending arrest in connection with Palashipara P.S. Case No. 156 of 2020 dated 17.06.2020 under sections 363/366/34 of the Indian Penal Code, the petitioner has filed the present application.

Mr. Biswas, learned advocate appearing for the petitioner submits that the petitioner had a love affair with the daughter of the *de facto complainant* and she willingly left her residence. She has presently been recovered and upon conclusion of investigation, charge sheet has also been filed. In the said conspectus, custodial interrogation of the petitioner is not necessary.

The 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.

Having heard the learned advocates appearing for the respective parties 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 and since the victim girl had already been recovered and is presently residing with her parents, custodial interrogation of the petitioner is not warranted, more so, when upon completion of investigation charge

sheet has been submitted. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Bapan Bhakta @ Debabrata Bhakta**, 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 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. 10930 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.)