

27.01.2021
gd/ssd
6

CRM 92 of 2021
(Through Video Conference)

Biswajit Das Petitioner
Vs.
The State of West Bengal ... Respondent

Mr. Hillol Saha Podder, Advocate
...for the Petitioner. Present in Court.

Mr. Kallol Acharjee with
Mr. Tapan Bhattacharjee, Advocates
...for the State. Present in Court.

The present application has been filed for grant of pre-arrest bail to the petitioner in Kumargram P.S. Case No.202 of 2020 dated 31.10.2020 registered under Sections 363/365 of the Indian Penal Code.

The learned counsel for the petitioner submitted that the complaint has been filed to the police with false allegation regarding abduction of the daughter of the complainant by the petitioner. In fact, she is 28 years of age and the petitioner is 26 years of age. Both had solemnized marriage at Sevok Kali Mandir on 26.10.2020 with their own sweet will. Since then they are residing together happily at their matrimonial home. The complaint was made to the police on 30.10.2020. Even now the daughter of the complainant is living at her matrimonial home.

CRM 92 of 2021

On the other hand, the learned counsel for the respondent submitted that it is a case of abduction of the girl by the petitioner for which his custodial interrogation is required.

After hearing learned counsels for the parties and considering the fact that the petitioner as well as Deepika Ekka, both are 28 years and 26 years of age, respectively. It is claimed that they have solemnized marriage at Sevok Kali Mandir on 26.10.2020 by their own sweet-will. The complaint was made to the police on 30.10.2020 by the mother of the wife of the petitioner. Even at present Deepika Ekka is stated to be residing at her matrimonial home.

Considering the aforesaid facts, in our opinion, the case for grant of pre-arrest bail to the petitioner is made out. The present petition is, accordingly, accepted. In case of arrest, the petitioner shall be released on furnishing of bail bonds to the satisfaction of the arresting officer. In addition, the petitioner will abide by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 92 of 2021 is disposed of.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)