

15.07.2022

23

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 3378 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chopra** Police Station Case No. **309** of **2022** dated **28.05.2022** under Sections 363/365 of the Indian Penal Code, 1860.

And

In Re : Mustaf Kamal @ Mustafa

..... petitioner

Mr. Amit Roy

....for the petitioner

Md. Anowar Hossain

Mr. Arif Ekbal Molla

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the principal accused was granted bail by the Jurisdictional Court. The petitioner is the father of the principal accused.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

A minor was abducted by the petitioner and his son. Interim bail was granted to the son of the petitioner on June 7, 2022 by the Jurisdictional Court pending a final decision on the age of the son of the petitioner.

The 164 Cr.P.C. statement of the victim implicates the petitioner and his son.

Considering the gravity of the offence and the involvement of the petitioner therein, the requirement of custodial interrogation of the petitioner cannot be overlooked.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 3378 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)