

19.07.2022

31
Ct. No. 29
KAUSHIK
REJECTED

C.R.M.(A) 3438 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No. **529** of **2021** dated **05.07.2021** under Section 363 of the Indian Penal Code, 1860 with adding Section 364A of the Indian Penal Code.

And

In Re : Abu Kalam

..... petitioner

Ms. Mousumi Bhowal

....for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the victim boy was recovered. The police filed charge-sheet and, therefore, custodial interrogation of the petitioner is not required.

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.).

In his 164 Cr.P.C. statement, the victim implicates the petitioner. Apparently, the victim was initially kept at the house of the petitioner after his abduction.

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) 3438 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)