

11-01-2022
F.B./gsd
Item no.07

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 9041 of 2021

Gofur Sk.

-vs-

The State of West Bengal & Ors.
(Via video conference)

In Re: An application for **bail** under **Section 439 CrPC** in connection with Kaliganj P.S. Case No. 07 of 2015 (corresponding to G. R. Case No.63/2015) dated 03.01.2015, District Nadia under sections 363/366/120(B)/506/34 of the Indian Penal Code.

Mr. Rajdeep Majumdar

Mr. Amanul Islam

...for the petitioner.

Mr. Rudradipta Nandy

... for the State.

This is an application for bail. The application arises out of Kaliganj P.S. (District-Nadia) Case No. 07 of 2015 dated 03.01.2015 under Sections 363/366/120(B)/506/34 of the Indian Penal Code.

Learned Counsel for the petitioner submits that the petitioner has been in custody for one year and seven months. It is submitted that the victim girl returned to her house on her own accord and the charge of kidnapping and wrongful confinement is without any basis.

On behalf of the Prosecution it is submitted that the petitioner is one of the three members of a gang and the girl was kidnapped for the purpose of trafficking.

The girl escaped from the confinement and has returned to her house.

It is further submitted that the petitioner was absconding for

nearly five and half years before being arrested. It is submitted that the charge-sheet has already been filed. It is also submitted that out of the three members of the alleged gang, one of the members is still absconding.

Heard.

Considered the materials placed along with case diary.

In view of the facts and circumstances of the alleged kidnap and confinement made out with the attending facts and circumstances as disclosed from the conduct of the petitioner, this Court is not persuaded to grant the privilege of bail to the petitioner at this stage.

The prayer for bail is **rejected**.

This Court however requests the Competent Court to take steps to expedite the trial, subject to its Board.

With the aforesaid, **CRM 9041 of 2021** is **dismissed**.

(Krishna Rao, J.)

(Subrata Talukdar, J.)