

13.07.2022.

Item No. 26

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*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 329 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 06.07.2022 in connection with Kalimpong Police Station Case No. 174 of 2022 dated 20.06.2022 under Section 370 of the Indian Penal Code read with Section 14 of Child Labour (Prohibition and Regulation) Act.

And

In the matter of: **Sabita Subba.** ...petitioner

Mr. Arjun Chowdhury,
Ms. Pratusha Dutta Chowdhury. ...For the petitioner

Mr. Ujjwal Luksom,
Mr. Aniruddha Biswas.For the State

Anticipatory bail is canvassed on the ground that the petitioner is not the principal accused and was not actually involved in trafficking. The two victim girls are stated to have stayed with the petitioner briefly.

Counsel for the State opposes the prayer for anticipatory bail but submits that the petitioner was not involved in the main offence.

Having heard the submissions of the Counsel for the State and considering the case diary and the facts of the case, this Court is inclined to allow the anticipatory bail to the petitioner.

It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the

arresting officer upon furnishing a Bond of Rs.5,000/- on condition that the order shall remain valid for a period of two weeks within which the petitioner shall surrender before the court concerned for regular bail.

This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The Case Diary be returned.

C.R.M. (A) No. 329 of 2022 is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)