

18.07.2023
ML. 103
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2498 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gurap** Police Station Case No. **27 of 2023** dated **08.02.2023** under Sections **363/365/376/364A/34** of the IPC read with Section **6** of POCSO Act.

And

In the matter of: **Sk. Nujibar @ Sk. Najibar Rahaman**
....petitioner.

Mr. Palash Bapari
...for the petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
...for the State.

1. Heard learned Counsel for both the parties.
2. Affidavit-of-service filed by the petitioner on the victim be taken on record.
3. The petitioner is stated to be the father of the principal accused who is alleged to have kidnapped the victim girl.
4. It is fairly submitted at the Bar that there is no allegation against the present petitioner who is stated to be bed ridden by the learned Counsel for the petitioner. The investigation is stated to have progressed substantially.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 21 days from today each of the petitioner shall appear

before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2498 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

