

26.07.2023
(D/L 26)
Ct. No.29
Allowed
(SKB)

CRM (A) 2704 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.872 of 2023 dated 04.06.2023 under Sections 363/365 of the Indian Penal Code (G.R. Case No.3501 of 2023).

In the matter of : Abdul Nadap and others

... Petitioners

Mr. Kallol Mondal,
Mr. Musharraf Alam

... for the petitioners

Mr. Avishek Sinha

... for the State

1. Heard the learned Counsel for the parties.
2. The victim girl is stated to have been recovered in the meantime. The basis of implication of the present petitioners is stated to be the statement of the co-accused.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the G.R. Case No.3501 of 2023 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that (i)

the petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form and (ii) the petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2704 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)