

September 5, 2023  
AD 33  
Court No.14  
SG

WPA 19114 of 2023

*Nripen Biswas*  
*vs.*  
*The State of West Bengal and others*

Mr. Atish Kumar Biswas  
Ms. Jyoti Agarwal  
... for the petitioner  
Mr. Somnath Ganguly  
Ms. Priyamvada Singh  
... for the State  
Mr. Mrinal Kanti Mukherjee  
Mr. Diptiman Mukhopadhyay  
... for the respondent No.7

Affidavit of service filed in Court is taken on record.

A report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. Sometime ago the uncle of the respondent No.9 approached the petitioner with an offer of marriage of the petitioner's minor daughter with the said respondent, so that the said respondent who is a Bangladeshi national could obtain Indian citizenship. The private respondents thereafter tried to kidnap the girl by administering her some obnoxious substance. She was found lying at the roadside. The police have not investigated the case properly. In spite of rejection of anticipatory bail, the accused are freely roaming around the area.

Learned advocate for the State relies on the report and submits as follows. The statement of the victim girl has been recorded under Section 164 of the Code. The prosecution has already prayed for warrant of arrest against the private respondents who are absconding

accused in this case. Till now the police could not arrest the private respondents. They are trying to do so.

Learned advocate for the private respondent No.7 submits that his client has been wrongly identified and tagged as an accused in this writ petition.

This is, indeed, a very serious case where there was an attempt to kidnap a minor daughter after the parents refused to give her in marriage with a Bangladeshi national who was seeking Indian citizenship.

However, it also appears that the police are trying their best to apprehend the accused. A statement of the victim under Section 164 of the Code has already been recorded.

The investigating officer shall conduct the investigation expeditiously and in accordance with law.

Let the further investigation of the case be conducted under the strict supervision of SDPO, Tehatta.

The police shall ensure that no harm is done to the petitioner or his family members and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**[ Jay Sengupta, J. ]**

