

13.12.2023
SL. 10
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4097 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Andal** Police Station Case No. **15** dated **14.01.2023** under Sections **363/365** of the IPC corresponding to G.R. case No. **110 of 2023**.
And

In the matter of: **Pinki Debi & Anr.**

....petitioners.

Mr. Monish Sen
Ms. Oisani Mukherjee

...for the petitioners.

Ms. Faria Hossain
Ms. Baisali Basu

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner No. 1 is the sister of the alleged principal accused who is alleged to have kidnapped the victim, a minor aged about 16/17 years. The petitioner No. 2 is the husband of the petitioner No. 1.
3. It is alleged by the learned Counsel for the State that the present petitioners helped the principal accused in kidnapping the victim, who has not yet been recovered.
4. We do not find any allegation of specific overt act against the present petitioners so far as the alleged crime is concerned. It is fairly submitted at the Bar that during the period of their interim protection the petitioners had co-operated with the I.O. so far as the investigation is concerned.
5. 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 aforesaid P.S. case on such terms and conditions as deemed

just and proper in the facts and circumstances of the case including the condition that:

- i) The petitioner No. 1 (Pinki Debi) is directed to appear before the I.O. for the purpose of investigation as when required from sunrise to sunset till submission of F.F.
 - ii) The petitioner No. 2 (Brijnandan Thakur @ Birendra Thakur @ Rabindra Thakur) is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
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. along with a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
 8. Accordingly, the prayer for the anticipatory bail is allowed.
 9. The application being **CRM (A) 4097 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

