

16.06.2023
Court No.01
Item No. 04
Rejected

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

ar

**CRM (DB) 320 of 2022
with
I.A No. CRAN 2 of 2023**

In Re:- An application for extension of interim order

And

In Re: **Safikul Islam @ Chhafikul Islam**

Petitioner/applicant

Mr. Subhankar Dutta

For the Petitioner/applicant

Mr. Sudipta Majumder, ld. DSGI

For the CBI

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas

For the State

Re: CRAN 2 of 2023

1. This is an application for extension of interim bail granted by a coordinate bench on 9th January, 2023. The coordinate bench had knowledge that the matter be a quite serious and is of grave one concerning the fact that the victim girl was 15 years on 2011 and the concerned authorities including the police at the jurisdictional police station only took action in 2023 i.e. after 12 years from the date on which the victim girl went missing. We could not find any plausible explanation for delayed filing of the charge-sheet.
2. The petitioner was in custody for only four months.
3. We have read the statement of the victim that was recorded on 17th August, 2011 and surprisingly the victim went missing thereafter without any offer being made by the police authorities to find out the cause for such

disappearance and this has clearly enured the benefit of the petitioner. We have also read the statement of the victim recorded under Section 164 Cr.P.C which directly implicates the petitioner and his family members.

4. Since the matter is of grave concern and till date the victim has not been recovered as yet, we direct the Superintendent of Police, Alipurduar to constitute a SIT which must include a senior rank officer of CID and the SIT should function under the supervision of Deputy Inspector General of Police, CBI (Special Crime Branch). The entire investigation should be carried out under the strict supervision of the Deputy Inspector General of Police, CBI (Special Crime Branch).
5. The petitioner shall be immediately taken into custody.
6. The progress of investigation with regard to disappearance of the victim and the child shall be filed before the trial court where the proceeding is pending.
7. The application for extension of interim bail is rejected. The application for bail along with CRAN 2 of 2023 is disposed of accordingly.
8. Mr. Sudipta Majumder, learned DSGI, has appeared in this case at the request of this court.
9. Learned Registrar, Circuit Bench, Jalpaiguri is directed to communicate this order to C.B.I.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)