

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

**04.01.2023
Court No.1
(SKB 57)**

CRM(A) 668 OF 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No.248 of 2022 dated 23.05.2022 under Sections 363/365/34 of the Indian Penal Code.

And

In the matter of: **Shashimohan Das @ Shashinmohan Das and another
.....Petitioners.**

Mr. Subhasish Misra,
Mr. Swarup Das

... For the Petitioners.

Mr. Kallol Acharya,
Mr. Tapan Bhattacharjee

... For the State.

The petitioners were charged with kidnapping of the victim girl who is said to be below the age of 8 years. The victim girl was subsequently recovered.

We do not find anything from the material placed before us which can persuade us to reject the prayer for anticipatory bail.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

The petitioners are the father and mother of the accused person who has been charged with the offence of kidnapping.

We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal

Procedure, 1973. The petitioners shall co-operate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM(A) 668 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)