

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

10.01.2023
Court No.1
(skb 55)

CRM(A) 707 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Mathabhanga Police Station Case No. 233 of 2022 dated 11.06.2022 under Sections 363/365 of the Indian Penal Code.

And

In the matter of: **Sri Narayan Das**

.**Petitioner.**

Mr. Hillol Saha Podder

... For the Petitioner.

Mr. Ujjal Luksom,
Mr. Tapan Bhattachrjee,
Mr. Chattu Roy

... For the State.

Heard learned counsel appearing for the petitioner.

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

It is contended that the petitioner and the victim girl are in a romantic relationship and she was removed from the custody of her parents. Now the victim girl has been recovered. Allegation is under Sections 363 and 365 of the Indian Penal Code.

Having perused the statement made by the victim girl recorded under Section 164 of Cr.P.C., we are inclined to allow the prayer for anticipatory bail.

We accordingly direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties each of like amount to the satisfaction of the Arresting Officer and on condition to comply with the conditions laid down

under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall also not interfere with witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM(A) 707 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)