

04.04.2024
Item No.56
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1119 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **92 of 2024** dated **06.02.2024** under Sections **363/365/34** of the Indian Penal Code, 1860 pending before the Court of the Learned Chief Judicial Magistrate at Purba Midnapore. (G.R. Case No.377 of 2024)

And

In Re : Habibul Khan @ Sk. Habibul
..... petitioner

Mr. Navanil De
Mr. Srinjan Ghosh
.....for the petitioner

Mr. Kaushik Kundu
Ms. Debadrita Mondal
....for the State

1. Petitioner submits there was a romantic relationship and the victim had eloped with him. He prays for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the statement of the minor. She states she had voluntarily gone to the house of the petitioner. She has been recovered.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a

bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that he shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The prayer for anticipatory bail of the petitioner is allowed.
7. **C.R.M. (A) No. 1119 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)