

19.04.2024
SL No. 56
Ct No. 29
SB

C.R.M. (A) 1340 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nandigram** P.S. Case No. 1515 of 2023 dated 24.12.2023 under Sections 363/366/34 of the Indian Penal Code.

And

In the matter of: Basudeb Nayek

....Petitioner

Mr. Navanil De
Mr. Subhrajit Dey

...for the Petitioner

Mr. Suman De
Ms. Rita Dutta

...for the State

Police filed charge sheet *inter alia* under Sections 363/366 of the Indian Penal Code, 1860.

Minor recorded a statement under Section 164 of the Code of Criminal Procedure, where she claims that she went with the petitioner voluntarily.

Medical examination was refused.

The petitioner before us is nineteen years old.

Materials in the case diary coupled with the age of the petitioner does not prompt us to hold that the petitioner needs to be placed in custody at this stage.

Under such circumstances, we grant anticipatory bail to the petitioners.

Accordingly we direct that in the event of arrest the petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

C.R.M (A) 1340 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)