

27.06.2024
SL No.15
Court No.29
TN

CRM (A) 1987 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Jiaganj Police Station Case No.74 of 2024 dated 17.03.2024 under Sections 363/365/34 of the Indian Penal Code.

And

In the matter of : **Sk. Asraf Ali and another.**

- petitioners.

Mr. Arunava Ganguly,
Mr. Md. Kalimuddin

....for the petitioners.

Ms. Amrita Gaur,
Ms. Puspita Saha

... for the State.

1. The learned Counsel for the petitioners submits that the petitioner no.1 during pendency of the application was arrested and subsequently enlarged on bail. Accordingly, the application for anticipatory bail on behalf of the petitioner no.1 is dismissed as not pressed.
2. Insofar as the petitioner no.2 is concerned, it appears that the petitioner no.2 is the father of the petitioner no.1. It is further submitted that the petitioner no.2 is innocent and has been falsely implicated.
3. The learned Counsel for the State in opposing the prayer has referred to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure from which it appears that the victim had voluntarily left the house with the first petitioner.
4. Considering the materials available in the case diary, the nature and extent of involvement of the petitioner in the

commission of the alleged offence, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner no.2, namely, **Ansar Ali @ Ansar Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered 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. The petitioner no.2 shall meet the Investigating Officer of the case as and when required till submission of the final report.
6. It is further directed that the present accused petitioner no.2 shall appear before the learned Additional Chief Judicial Magistrate, Lalbag, Murshidabad in connection with G.R No. 1000 of 2024 within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)