

10.09.2024

Court No.29

Item No. 26

Allowed

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CRM (A) 3047 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balagarh Police Station Case No. 354 of 2024 dated 26.07.2024 corresponding to G.R Case No. 2542 of 2024 under Sections 448/323/354/363/365/504/34 of the Indian Penal Code.

And

In Re: **Sri Ramesh Gharami & Ors.**

Petitioners

Mr. Prasenjit Debnath

Ms. Pritha Biswas

For the Petitioners

Mr. Binay Panda

Ms. Payel Ghosh

For the State

Mr. Amit Roy

For the De-facto Complainant
(DLSA)

1. The report filed by the police authority is taken on record.
2. Learned counsel for the petitioners are the in-laws. Pursuant to our earlier direction, the I.O has filed a report wherefrom it appears that the child has been recovered and the de-facto complainant is in custody of the child.
3. Considering the nature of involvement of the petitioners in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sri Ramesh Gharami, Smt. Golapi Mazumdar, Smt. Lipika Biswas and Sri Ramesh Biswas** shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with

the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023.

The **petitioner nos. 1 and 4** shall meet the Investigating Officer once in a week till the submission of the final report and the **petitioner nos. 2 and 3** shall cooperate with the investigation till the submission of the final report on further condition that the petitioners shall appear before the **learned Chief Judicial Magistrate, Hooghly at Chinsurah**, within two weeks from date in connection with **G.R Case No. 2542 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Prasenjit Biswas, J)