

24.01.2024

Serial no. ML359

Anticipatory bail

[Allowed]

Dd

CRM (A) 5053 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **468** of **2023** dated **29.07.2023** under Sections **363/366** of the Indian Penal Code, 1860.
(G.R. Case No. 2580 / 2023)*

-And-

*In the matter of : **Sk. Jumman Ali***

*... .. **Petitioner***

*Mr. Sabir Ahemed,
Mr. Bhaskar Hutait,
Ms. Suman Biswas,
Mr. Dhiman Banerjee,
Mr. Tasnim Ahmed, Advocates
... .. For the Petitioner*

*Mr. Debashis Roy, PP
Mr. R. Jana, Advocates
... ..For the State*

Police filed charge sheet.

Victim recorded a statement under Section 164 of the Criminal Procedure Code where, she acknowledged that there was a relationship between her and the petitioner.

Petitioner and the victim are adults.

The victim claimed in her statement that she was kidnapped and kept at a place for 10 days.

The narration of events as recorded in her statement suggests that there was possibility of the victim coming into contact with members of public during the so-called period of detention.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we 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 Only), 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 further 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5053 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)