

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

07.03.2024

Court No.1
Item.122
(Srimanta)

CRM(A) 146 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Mekhliganj Police Station Case No. 150/2023 dated 20.05.2023 under Sections 363/365 of the Indian Penal Code and Section 06 of POSCO Act arising out of POSCO Case No. 21/2023 corresponding to GR Case No. 292/2023 .

And

In the matter of: **Sekendar Sekh @ Sekh Sekendar.**

. . .Petitioner.

Mr. Kalipada Das

... For the petitioner.

Mr. Ujjal Luksom,
Mr. Kallol Nag,
Ms. Namrata Das

...For the State.

Ms. Sayantani Das

...for the de facto complainant.

1. It is the stated position of the prosecution that the victim voluntarily left her parents' house with the petitioner. The de facto complainant is also represented before us.
2. We have perused the facts and materials contained in the Case Diary. Hence, we are inclined to grant the prayer for anticipatory bail. Custodial interrogation of the petitioner is not required.

3. We accordingly 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, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation and make himself available for questioning to the Investigating Officer whenever he is required to do so. The petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
4. The application for anticipatory bail being CRM (A) 146 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)