

22.08.2024.

Item No. 23

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 662 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 19.08.2024 in connection with Dhupguri Police Station Case No. 271 of 2024 dated 29.06.2024 under Sections 363/365 of the Indian Penal Code.

And

In the matter of: **Sahidul Islam.** ..Petitioner

Mr. Hillol Saha Podder,
Ms. Mousumi Das. ...For the petitioner

Mr. Ujjwal Luksom,
Mr. Sagnik Sankar Sikdar.For the State

1. The application for anticipatory bail is canvassed on the ground that the petitioner is the father of a boy with whom the victim had eloped in a love affair.
2. The same is corroborated from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. The involvement of the petitioner in the offence, if any, is remote.
3. Counsel for the State opposes the prayer for anticipatory bail of the petitioner.
4. In the facts and circumstances of the case and considering the materials available on record, the petitioner has made out a case for anticipatory bail. This

Court is of the view that the petitioner shall be entitled to anticipatory bail.

5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.1,000/-, with two sureties of Rs.500/- each, one of whom must be local.

6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.

7. The Case Diary be returned.

8. C.R.M. (A) No. 662 of 2024 is, thus, disposed of.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)