

23. 05.11.2024
Court
No.1 (Tanmoy)

Allowed

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

CRM (A) 764 of 2024

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 / Section 438 of the Code of Criminal Procedure, 1973, in connection with **Falakata** Police Station **Case No. 412 of 2018** dated **13/10/2018** under Sections **363/328/34** of the Indian Penal Code, 1860.
And

In the matter of: - **Chandana Roy**

...petitioner.

Mr. Hillol Saha Podder
Ms. Mousumi Das

...for the petitioner.

Mr. Saikat Chatterjee
Mr. Chattu Roy

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that she has been falsely implicated. She has no role to play in the abduction of the victim girl. The girl has been recovered. She was not aware of this case having been filed against her. That is why she did not report to the Police. She is fully prepared to co-operate with the Investigating Authority.
2. Opposing the prayer for anticipatory bail learned Advocate for the State draws our attention to the material in the case diary. He says that the petitioner caused the victim to consume toxic betel nut which made her unconscious. Thereafter she was taken to Assam. However, she was recovered from the house of the *de facto* complainant.

3. On an overall consideration of the facts and circumstances of the case and the fact that the petitioner is a young lady aged about 20 years and that charge-sheet has already been filed, we are of the view that immediate custodial detention of the petitioner may not be necessary so long as she co-operates with further investigation, if any.
4. Accordingly, in the event of arrest, the petitioner, namely, **Chandana Roy**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, until further orders.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
6. The application for anticipatory bail being CRM (A) 764 of 2024 is thus allowed and disposed of.
7. All parties shall act in terms of server copy of this order duly downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Biswaroop Chowdhury, J.)