

30/04/2025

D/L 35
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1386 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with GR no. 695 of 2024 arising out of Gangarampur police station case no. 321 of 2024 dated 25.6.2024 under Sections 363/365 of IPC.

In the matter of: Merina Khatun Bibi @ Merina Bibi & Anr.

... Petitioners

Ms. J. Rudra

...for the petitioners.

Ms. Sonali Das

Mr. A. Sarkar

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. It is alleged that the minor victim girl was kidnapped by the principal accused. Subsequently, the victim came back to her parents and long thereafter, she committed suicide possibly after being scolded by her mother. The petitioner no. 1 is the sister of the principal accused and the petitioner no. 2 is her husband.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She points to the statement of witnesses including that of the victim girl after recovery and of the father of the victim girl, both recorded before learned Magistrate. While the victim girl had pointed fingers only at the principal accused, the father of the victim had also made allegations against the principal

accused and another, but have not taken the names of the present petitioners specifically.

3. It appears that the main allegations are against the principal accused and another person who had been named by the father of the victim in his statement recorded before the learned Magistrate.
4. In view of the materials available in the case diary and the alleged roles ascribed to the present petitioners, I do not think that custodial interrogation of the petitioners is required in this case.
5. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation and the petitioners shall not threaten or intimidate witnesses. The petitioner no. 2 shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)