

26/08/2025

D/L 23

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2406 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 Bhimpur police station case no. 24 of 2025 dated 15.1.2025 under sections 137(2)/87 and 3(5) of the BNS.

In the matter of: Siraj Mondal

... Petitioner

Mr. Sumanta Das
Mr. Avilash Tripathi
Ms. S. Sahu

...for the petitioner.

Mr. Rudradipta Nandy
Ms. Puja Goswami

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that he is only the father of the principal accused. On an earlier occasion the petitioner had eloped with the minor girl. Then the petitioner was able to take them to the police and make them surrender. But this time, the principal accused could not even be contacted.
2. Perused the case diaries of the present case and the earlier case being Bhimpur P.S Case no. 315 of 2024 dated 27.11.2024. It appears from the said case diary that after recovery of girl, which was allegedly orchestrated by the other petitioner, the minor victim gave an exonerative statement before the Magistrate that she had left the paternal home of her own volition.

3. Considering the above, the other materials available in the case diary and the alleged role ascribed to the present petitioner, I am inclined to grant anticipatory bail to the petitioner.
4. In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a week till submission of report in final form.
5. However, it is made clear that grant of anticipatory bail to the petitioner who is the father of the principal accused has no bearing on the standing of the principal accused who has been avoiding arrest.
6. Accordingly, the instant 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.)