

28.04.2025
(D/L 3)
Ct. No.1
Allowed
(Naba)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRM (A) 245 of 2025**

In Re:- An application for anticipatory bail under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with **Dinhata P.S. Case No. 86 of 2025** dated **21.02.2025** under Sections 137(2)/140(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and corresponding Sections 363/365/34 of the IPC and corresponding to **G.R. Case No. 84 of 2025**.

And

In the matter of : **Rejiya Bibi & Ors.**

... Petitioners

Mr. Sudip Guha,
Mr. Sandip Guha Roy,
Mr. Ananda Paul

... for the Petitioners

Mr. Nilay Chakraborty, Id. APP,
Mr. Tapan Bhattacharjee

... for the State

1. Heard the learned counsel for the petitioners and the learned State counsel.
2. As per allegations made in the F.I.R., a translated copy of which has been handed over to the Court after due service upon the learned State counsel, the informant's daughter, aged about 16 years, went to school on 20.02.2025. When she did not return, they made frantic inquiries on 21.02.2025 when a reliable person has informed that the daughter has been kidnapped

by accused no.1 (Alamgir Miya) with the help of his family members with an ill motive.

3. As per submission of the learned counsel for the petitioners, the petitioner no.1 is mother of Alamgir Miya, petitioner no.2 is the uncle and petitioner no. 3 is the father of Alamgir Miya. They have been implicated based on suspicion by virtue of their relationship with the prime accused, Alamgir Miya. The petitioners themselves are searching for Alamgir Miya, who is also traceless. There is no allegation of any mental or physical abuse. The petitioners have no antecedents. They have no complicity and there is no specific overt participation of the petitioners in the allegation. There is just a general and omnibus allegation. In the investigation also nothing has been found till date.
4. The learned State counsel has opposed the prayer for anticipatory bail.
5. Considering the rival submissions, the nature of allegations and relationship of the present petitioners with the prime accused, the manner of their implication, their clean antecedents, this Court is inclined to allow the prayer for anticipatory bail.
6. Accordingly, it is directed that in the event of arrest the petitioners 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 subject to the conditions as laid down under Section 482(2) of the BNSS, 2023 including the condition that the petitioner no.1 is directed to appear before the IO once in a fortnight on the day and time fixed by the IO during sunrise to sunset and petitioner nos. 2 and 3 are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

7. It is further directed that the petitioners will not tamper with evidence and/or threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
8. In the event, the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned Trial Court shall be at liberty to cancel the bail without any further reference to this Court.
9. Accordingly, the prayer for the anticipatory bail is allowed.
10. The application being **CRM (A) 245 of 2025** is disposed of.

(Madhuresh Prasad, J.)