

AD-8
Ct No.01
Jalpaiguri
14.05.2025
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 311 of 2025

In Re: - An application for anticipatory bail under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: Tahir Miya & Ors.

.... Petitioners.

Mr. Subinay Dey,
Mr. Debanjan Das

..for the petitioners.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Aniruddha Biswas

..for the State.

1. The application for anticipatory bail is pressed on the ground that the applicants/accused are all family members and out of a family dispute, kidnapped the victim girl. The girl was recovered at the intervention of the local panchayat under which the girl was kept in detention.
2. Counsel for the petitioners would argue that two of the sections are bailable. The complaint was lodged by the grandmother despite the presence of the parents.
3. It is lastly argued by learned counsel for the petitioners that the principal accused is applicant no. 1 Tahir Miya. The others were acting on the instruction of Tahir Miya.

4. Learned Public Prosecutor has placed the statement of the victim girl before the Judicial Magistrate and also the complaint.
5. While it is true that the complaint may contained certain contradictions, it is now well-settled that an FIR is not an encyclopedia.
6. The investigation is still on and each of the applicants are absconding.
7. In view of the above circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.
8. CRM (A) 311 of 2025 shall stand rejected.
9. Case diary is perused and returned.

(Rajasekhar Mantha, J.)