

54 11.05.2023
(AD)
Court No.29

C.R.M. (DB) 674 of 2023

In Re: - An application for under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of: - Rafik

...petitioner.

Mr. Mojibar Ali Naskar
Md. Habibur Rahman

... for the petitioner.

Ms. Zareen N. Khan
Mr. Asif Dewan

... for the State.

In assailment is an order dated October 14, 2022 granting anticipatory bail to the private opposite parties by the learned Vacation Judge.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the Case diary. He submits that, the victim recorded her statement under Sections 161 and 164 of the Code of Criminal Procedure.

It appears from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure that, she left her matrimonial home with another person voluntarily. Such other person also left her stranded in Punjab. Thereafter, she returned to Siliguri and is presently working as a domestic help.

In view of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we are not minded to interfere with the order granting anticipatory bail to the private

opposite parties.

C.R.M. (DB) 674 of 2023 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

