

30 17.05.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 2038 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** P.S. Case No.**445 of 2023** dated **27/04/2023** under Sections **363/365/34** of the Indian Penal Code.

And

In the matter of: **Sk. Moti @ Sk. Motibul Ali & Ors.**

....petitioners.

Mr. Amal Krishna Samanta

...for the petitioners.

Mr. Pravas Bhattacharya
Mr. Mirza Firoj Ahmed Begg

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the State submits that the victim is adult. She went voluntarily with the petitioner no.1 since she was married to the petitioner no.1. She was produced for recording her statement under Section 164 of the Code of Criminal Procedure when she went with the petitioner no.1. He refers to the letter written by the victim to the Inspector-in-Charge of the police station.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos.1 to 4 will report before the

Investigating Officer once a month till the conclusion of the investigation and petitioner no.5 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 2038 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)