

15.06.2023
Sl. 102
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2107 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **195** of **2023** dated **01.03.2023** under Sections **363/365/368** IPC.

And

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

....petitioner.

Mr. Amal Krishna Samanta

...for the petitioner.

Ms. Zareen N. Khan

Mr. Arup Sarkar

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by the learned Counsel for the parties including the statement of the victim recorded under Section 164 Cr.P.C.
3. The petitioner is stated to have kidnapped the victim girl and married her. Thereafter, the victim girl was recovered and the present case was registered. Again the victim girl out of her own volition went to join the matrimony with the present petitioner for which Tamluk P.S. Case No. 445 of 2023 dated 27.04.2023 was started in which he has already been enlarged on bail vide order dated 17.05.2023 in CRM (A) 2038 of 2023 by a co-ordinate Bench of this Court.
4. It is submitted at the Bar that the victim is now living in the matrimonial home with the petitioner. The investigation is stated to have progressed substantially.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, sequence of events and

substantial progress in the investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer on such terms and conditions as deemed just and proper in the facts and circumstances of the case in Connection with Tamluk Police Station Case No. 195 of 2023 dated 01.03.2023.

6. Within 21 days of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O along with a copy of this order.
7. The server copy of the order dated 17.05.2023 as passed in CRM (A) 2038 of 2023 and the photocopy of the earlier statement under section 164 Cr.P.C. of the victim be taken on record.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2107 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

