

19.07.2023
ML. 148
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2546 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Howrah** Police Station Case No. **203 of 2023** dated **13.06.2023** under Sections **420/417/376/506/34** of the IPC corresponding to G.R. Case No. **2791 of 2023**.

And

In the matter of: **Sajahan Siddique @ Shahjahan Siddiquei**

....petitioner.

Mr. Tarique Quasimuddin
Mr. Sanchita Chaudhuri

...for the petitioner.

Mr. Saibal Bapuli, APP
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is stated to the father of the principal accused with whom the victim girl had love affair. The allegation against the petitioner is that the present petitioner is not approving the marriage though both the consenting adults are agreeable for marriage.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon

that.

6. Before parting with the order, we feel persuaded to observe that there is no bar for the son of the petitioner to marry the girl, even if, the petitioner does not approve of that. The law on this point is very clear and the parties if they so desire, may marry with intervention of the I.O. and the present petitioner shall not stand in the way.
7. Learned Counsel for the State is hereby requested to communicate this order to the concerned I.O.
8. Learned Counsel for the petitioner is allowed to make necessary correction in the cause title to provide the G.R. case number.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2546 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

