

25.08.2023
ML. 461
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3280 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Marishda** Police Station Case No. **247 of 2022** dated **24.10.2022** under Sections **323/341/363/365/448/34** of the IPC.

And

In the matter of: **Ananda Das**

Mr. Sk. Sahjahan Ali

....petitioner.

Mr. Shiladitya Banerjee

...for the petitioner.

...for the State.

1. Heard learned Counsel for both the parties.
2. On earlier two occasions the victim girl had eloped with present petitioner. This time also the present petitioner is alleged to have kidnapped the victim girl with the assistance of other co-accused persons. Whereabouts of the girl is still not known.
3. Learned Counsel for the petitioner submits that this time the petitioner is not involved so far as elopement of the girl is concerned.
4. The victim girl who is a minor has not yet been recovered, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3280 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

