

10.11.2020
Sl. No.67
akd
[ALLOWED]

C. R. M. 8943 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.11.2020 in connection with Baranagar Police Station Case No. 414 of 2020 dated 24.09.2020 under Section 6 of the POCSO Act read with Section 9 of the Prohibition of Child Marriage Act.

And

In Re: **Deep Ghosh**

... .. Petitioner

Mr. Koustav Bagchi .. Advocate

... .. for the petitioner

Mr. Ashok Das .. Advocate

... .. for the State

The petitioner claims that he is into a relationship with the minor survivor and the same would also be evident from the statement of the survivor. The petitioner submits that he has married the survivor and undertakes to court that upon the survivor attaining majority, the petitioner will accept the survivor as the petitioner's married wife.

The State relies on the statement of the survivor recorded under Section 164 of the Code. It is evident that the survivor was acquainted with the petitioner herein.

In the light of the submission of the petitioner and the undertaking given to court that the petitioner will accept the survivor as the petitioner's wife upon the survivor attaining majority, the petitioner is directed to be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in North 24-Parganas. The petitioner will be entitled to contact the survivor, if the survivor so agrees; but the petitioner will not be entitled to see the survivor alone till the survivor attains majority.

CRM 8943 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)

