

58 04.12.2020  
rkd Ct. No.03  
(Allowed)

**C.R.M. 9450 of 2020  
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** P.S. Case No. **137 of 2020** dated **09/03/2020** under Section **9/10/11** of the Child Marriage Act and under Sections **370** of the Indian Penal Code.

And

In the matter of: Khalilur Rahaman @ Khalilur Rahaman  
....petitioner.

Ms. M. Gomes,  
Mr. P. S. DAS

...for the petitioner.

Mr. I. Ali,  
Ms. M. Roy

...for the State.

It is submitted on behalf of the petitioner that the marriage had to be organised between the minor and another as they were having a love affair and the minor intended to elope and marry.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Although marriage of a minor girl is a social menace, the act of the petitioner in the peculiar factual matrix appears to be under compulsion. In view of the facts of the case, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**