

**01.11.2021.**  
Item No. 8  
pk/ap (rejected)

**C.R.M. 6839 of 2021**  
**(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.10.2021 in connection with Khanakul Police Station Case No. 332 of 2021 dated 21.08.2021 under Sections 363/365/328/376(2)(n)/120B/504/506/323 of the Indian Penal Code and Sections 4/6(1) of the Protection of Children from Sexual Offences Act.

And

In the matter of : **Sekendar Molla.** ...petitioner

Mr. Prabir Kumar Mitra,  
Mr. Pinak Kumar Mitra. ...For the petitioner

Mr. Madhusudan Sur, ld. A.P.P.  
Mr. Dipankar Pramanick. ..For the State

The petitioner is seeking release on bail.

It is stated that the victim girl, namely, Lamiya Khatun @ Lamia Khatun had a love affair and had married the petitioner on 11<sup>th</sup> August, 2020 as per Muslim Law which was duly registered and a certificate has been annexed at page 11 of the instant petition.

It is also pointed out that they had been to different places like Hyderabad and accordingly our attention has been drawn to the air ticket being Annexure – “C”.

Admittedly the victim girl was a minor at the time of the incident.

Objection has been raised on behalf of the State contending that the victim is a minor and the contention

has made on behalf of the petitioner regarding marital status is a concocted one.

Having regard to the statements made by the victim girl at page 86 recorded under Section 164 Cr.P.C. and considering the materials placed before us which is at page 32 of the case diary and bearing in mind the nature of the offence, we are not inclined to admit the accused-petitioner on bail.

Accordingly, the prayer for bail is rejected at this stage.

The application for bail, being C.R.M. No. 6839 of 2021, is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

**(Ananda Kumar Mukherjee, J.)      (Shivakant Prasad, J.)**