

08.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1627 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **201** of **2022** dated **09.03.2022** under Sections 363/365/34 of the Indian Penal Code, 1860 and read with Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Shailen Halder & Anr.

..... petitioners

Mr. Sayan De

Mr. Sayan Kanjilal

....for the petitioners

Mr. Saibal Bapuli

Mr. Arijit Ganguly

Mr. Sanjib Kumar Daan

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, marriage was solemnised between the victim and son of the petitioner. The petitioners were unaware of the exact date of birth of the victim.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) and the medical report.

The victim refused medical.

In her 164 Cr.P.C. statement, the victim claims that she was given in marriage contrary to her wishes. The victim is above 17 years of age at the time of occurrence of the incident.

Considering the gravity of the offence and the involvement of the petitioners therein, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 and on further condition that the petitioner no. 1 (Shailen Halder) shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 2 (Kallani Halder) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)