

14 21.04.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 1790 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** P.S. Case No.**1119** of **2021** dated **13/10/2021** under Sections **363/365/34** of the Indian Penal Code adding Sections **9/10/11** of the Child Marriage Act and Section **6** of the Protection of Children From Sexual Offences Act.

And

In the matter of: Abdur Rahim & Ors.

....petitioners.

Mr. Angshuman Chakraborty

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP

Mr. Soumik Ganguli

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners are the relatives of the principal accused. The victim and the principal accused were married. They were living as husband and wife at Pune. The principal accused was a contract labourer working at Pune.

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 and the materials in the case diary.

The petition contains a marriage certificate in respect of the marriage between the principal accused and the victim.

Considering the relationship between the principal accused and the victim and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the gravity of the offence and the involvement of the

petitioners therein and considering the fact that the police submitted charge sheet, 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/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1790 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)