

20.07.2022
Serial no.13
Aloke

CRM (A) 3443 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No. 1048 of 2021 dated 29.11.2021 under Sections 363/366/328/506/34 of the Indian Penal Code and Sections 9/10/11 of the Prohibition of Child Marriage Act, 2006.

-And-

In the matter of : **Sekh Sartaj Ali @ Suraj & Anr.**

... ... Petitioners

Ms. Pramita Banerjee, Advocate
Mr. Soupal Chatterjee, Advocate

... ... For the Petitioners

Mr. Joydeep Roy, Advocate
Ms. Sujata Das, Advocate

... ...For the State

Petitioners seek anticipatory bail.

The Court is informed that the first petitioner was arrested.

In such circumstances, CRM (A) 3443 of 2022 is dismissed as not maintainable so far as the first petitioner (Sekh Sartaf Ali @ Suraj) is concerned.

There is a statement of the victim recorded under Section 164 of the Code of Criminal Procedure. The age of the victim is 17 years.

The second petitioner is a senior citizen.

Considering the involvement of the second petitioner, her age and gender and considering the fact that the police filed charge-sheet, we are inclined to grant anticipatory bail to the second petitioner (Golabi Bibi @ Golabi Khatun).

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Golabi Bibi @ Golabi Khatun) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner

no. 2 (Golabi Bibi @ Golabi Khatun) shall appear on every date 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 petitioner no. 2 (Golabi Bibi @ Golabi Khatun) in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner no. 2 (Golabi Bibi @ Golabi Khatun) is allowed.

CRM (A) 3443 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)