

29.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3608 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bongaon** Police Station Case No. **533** of **2022** dated **25.05.2022** under Sections 366A/323/354/506 of the Indian Penal Code read with Sections 9/10 of the Prohibition of Child Marriage Act, 2006.

And

In Re : Raja Adhikari & Ors.

..... petitioners

Mr. Susnigdho Bhattacharya

....for the petitioners

Mr. Shiladitya Banerjee

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the victim went voluntarily with the petitioners.

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.). He submits that the victim refused medical examination.

It is claimed by the victim in her 164 Cr.P.C. statement that she was taken by her friend from the railway station and that she was given in marriage.

The victim refused medical examination.

In such circumstances, 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 nos. 2 (Seema Adhikari) and 3 (Puja Adhikari) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner no. 1 (Raja Adhikari) shall meet the Investigating Officer as and when called for till the conclusion of the investigation and on condition that the petitioners 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 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.)

