

21.10.2022.
27
Ct.No.28.
AKG/AN
(Rejected)

C.R.M. (D.B) 3808 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur Police Station Case No. 678 of 2022 dated 20.06.2022 under Sections 9, 10, 11 of the Prohibition of Child Marriage Act and Section 6 of the POCSO Act in connection the Special Case no. 118 of 2022.

In the matter of : Sanjay Chakraborty

.... Petitioner.

Mr. Subhrojyoti Bhowmick

...for the Petitioner.

Mr. Prasun Kr. Datta, learned A.P.P.,
Mr. Shantanu Deb Roy

... for the State.

It is submitted by the learned counsel for the petitioner that there is love affair between the petitioner and the victim girl. Under such deep love and inclination between them, they married to each other, the petitioner is major but he forgot that minor's marriage is void ab initio.

It is further stated by the learned counsel for the petitioner that though the petitioner has married the victim girl, their marriage was not consummated. However, we do not find any support of such submission from the case diary.

Considering the fact that the specific act of the petitioner violates Sections 9, 10 and 11 of the Prohibition of Child Marriage Act and Section 6 of the POCSO Act, we are not inclined to release the petitioner on bail.

Thus, the prayer for bail is rejected.

C.R.M. 3808 of 2022 is disposed of.

(Bibek Chaudhury, J.)

(Prasenjit Biswas, J.)