

22.12.2022

Sl.48

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5968 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No.**195 of 2022** dated **20.04.2022** under Sections **363/365** of the Indian Penal Code, added with Section **376(2)(n)** of the Indian Penal Code and Section **6** of Protection of Children from Sexual Offences Act, and **9** of Prohibition of Child Marriage Act giving rise to S.C. No.164 of 2022.

And

In the matter of: **Jagannath Bhowmik**

....petitioner.

Mr. Amal Krishna Samanta

...for the petitioner.

Mr. Anowar Hossain

Mr. Ratna Ghosh

... for the State.

Petitioner prays for anticipatory bail.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure states that she went voluntarily with the petitioner, married the petitioner and lived as husband and wife.

The age of the petitioner is about 22 years.

The police filed charge sheet.

Considering the age of the petitioner and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5968 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)