

20.04.2023

Serial no. 04

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1475 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ketugram** Police Station Case No. **118** of **2023** dated **19.02.2023** under Sections **9** of the Prohibition of Child Marriage Act, 2006 and Section **6/17** of POCSO Act, 2012.

-And-

In the matter of : **Shuvajit Bairagya @ Subhojit Bairagya & Ors.**

... .. Petitioners

*Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourav Mondal, Advocates
... .. For the Petitioners*

*Mr. Saibal Bapuli, Id. APP
Mr. Arijit Ganguly,
Mr. Avik Ghatak, Advocates
... ..For the State*

*Mr. Mujibar Aloï Naskar, Advocate
... ..For the parents of the victim*

Petitioners and State are represented.

The victim is also represented.

Subsequent to the order dated April 10, 2023, the victim recorded a statement under Section 164 of the Criminal Procedure Code. In such statement, the victim claims that she married the petitioner no. 1 out of love. She is living a happy conjugal life with her husband. She is living happily in her matrimonial home with her parents-in-law. She is pregnant for five months. She wants to continue with her present family.

In view of such statement of the victim and in view of pregnancy, we deem it appropriate to grant anticipatory bail to the petitioners.

Police filed charge sheet.

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 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 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1475 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)