

27.09.2023.

Ct. No. 1

Item No. 35

sp

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 791 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 12.09.2023 in connection with Ghokshadanga Police Station Case No. 239 of 2023 dated 17.05.2023 under Sections 363/365/341/323/506/109 of the IPC, 1860.

And

In the matter of: **Chandan Mandal**

...petitioner

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha,
Mr. Sandip Guha Roy

...For the petitioner

Mr. Nilay Chakraborty

... For the State

1. This the second application for anticipatory bail is canvassed on the ground that the victim girl is 15 years old now has married to the accused.
2. This Court is unable to countenance the story put forward since a 15 years old girl is incapable of giving consent to marry.
3. In the backdrop of the above, the prayer for anticipatory bail of the petitioner is rejected.
4. CRM (A) 791 of 2023 shall stand dismissed.
5. The petitioner may surrender in the Court below within a period of 2 weeks and seek regular bail.

(Supratim Bhattacharya, J.) (Rajasekhar Mantha, J.)

