

**29.02.2024**  
DL-35  
Court No.29  
(AD)  
(Allowed)

**C.R.M. (A) 646 of 2024**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bamongola** Police Station Case No. **147 of 2023** dated **07.09.2023** under Sections **363/365/34** of the Indian Penal Code, 1860 and adding Section **6** of Protection of Children from Sexual Offences Act. (G.R. Case No.6170 of 2023).

And

In the matter of: **Bhanumoti Mahali @ Bhanumati Rai & Anr.**  
....petitioners.

Mr. Mrityunjoy Chatterjee  
Mr. Debapriya Majumder  
Mr. Akash Sarkar  
Mr. Tushar Hazra  
Mr. Arindam Poali           ...for the petitioners.

Mr. Soumik Ganguli           ...for the State.

State intimated the victim as to the pendency of this proceedings.

None appears for the victim despite service.

Petitioners before us are the parents of the principal accused.  
Principal accused is in custody.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure where she states that, she left voluntarily with the principal accused and that she entered into a physical relationship with the principal accused also voluntarily and that there was an affair between her and the principal accused.

Statement of the victim does not name any of the petitioners before us.

Police filed charge sheet.

Consequently, 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/- (Rupees Ten Thousand Only) each, 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 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.

The prayer for anticipatory bail of the petitioners is allowed.

**C.R.M. (A) 646 of 2024** is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**