

01.05.2024

Item No.3

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1522 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **271** of **2022** dated **13.05.2022** under Sections **363/365/376/120B/34** of the Indian Penal Code, 1860 and Sections **4/ 8** of Protection of Child From Sexual Offences Act, 2012.

And

In the matter of : Pamela Bibi

..... petitioner

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose

....for the petitioner

Mr. Ashok Das

....for the State

Petitioner renews the prayer of anticipatory bail.

Learned advocate appearing for the petitioner submits that, subsequent to the order of rejection dated July 7, 2022 passed in CRM(A) 3205 of 2022, the principal accused expressed desire to marry the de facto complainant. Principal accused was initially enlarged on interim bail by the co-ordinate Bench on March 19, 2024 passed in CRM(DB) 872 of 2024 noting such desire of the principal accused. Subsequently, the de facto complainant and the principal accused married. He refers to the marriage certificate dated March 25, 2024 in this regard. Subsequent thereto, co-ordinate Bench confirmed the interim bail on April 25, 2024.

State is represented.

In view of the development subsequent to the earlier order of rejection and in view of the fact that police filed charge-sheet, 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 be 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1522 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)