

07.05.2024
Sl. No.18
akd
[ALLOWED]

C. R. M. (DB) 1438 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.04.2024 in connection with Bhagwangola Police Station Case No.619 of 2023 dated 19.12.2023 under Sections 376(A)(B)/109 of the Indian Penal Code, Section 6 of the POCSO Act and Sections 9/10/11 of the Prohibition of Child Marriage Act, 2006.

And

In Re: ***Taslima Khatun @ Taslema Khatun***

... .. Petitioner

Mr. Somnath Adhikary

... .. for the petitioner

Mr. Subhamay Bhattacharya

Mr. Nazmut Touhid

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Two minors had fallen in love with one another. Petitioner is the mother of the minor girl. The minor boy has been enlarged on bail. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
3. Therefore, the accused/petitioner, namely ***Taslima Khatun @ Taslema Khatun***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, Lalbagh, Murshidabad subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
4. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

5. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)