

21.05.2024
Item No.11
Ct. No. 3
CHC
Allowed

C.R.M.(A) 1703 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **104/2024** dated **06.02.2024** under Sections **363/366/34** of the Indian Penal Code and Sections **9/10** of the Prohibition of Child Marriage Act, 2006, pending before the Learned Chief Judicial Magistrate, Purba Medinipur at Tamluk.

And

In the matter of : Shyamal Barman

..... petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick
....for the petitioner

Ms. Sreyashee Biswas,
Mr. Dattatreya Dutta
....for the State

Petitioner prays for anticipatory bail.

It is claimed that, petitioner is 22 years old.

Victim recorded her statement under Section 164 of the Criminal Procedure Code which is exonerative in nature so far as petitioner is concerned.

Victim also refused to undergo any medical examination.

Considering age of the petitioner and the statement of the victim recorded under Section 164 of the Criminal Procedure Code, 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) 1703 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)