

12.08.2024
SL No.4
Court No.29
(gc)
(Rejected)

CRM (A) 2391 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nowda Police Station Case No.152 of 2023 dated 10.05.2023 under Sections 498A/302/34 of the Indian Penal Code and 4 D.P. Act and charge-sheet submitted under Section 498A/302/34 of the IPC and 4 D.P Act and 6/17 of the POCSO Act and 9/10 of Prohibition of Child Marriage Act.

And

In the matter of : **Masidul Sk @ Masirul Mondal**

- Petitioner.

Mr. Manas Kr. Das,
Mr. Mobaidur Hossain

....For the Petitioner.

Mr. Subrata Karmakar

....For the Victim.

Mr. Subhamoy Bhattacharya,
Ms. Ankita Paul

... For the State.

1. Considering the fact that there is a violation of Prohibition of Child Marriage Act and the victim died within one year of marriage and there are evidence, *prima facie*, showing that the husband, mother-in-law and the present petitioner have committed physical and mental torture upon the victim which had resulted in her unfortunate death, we are not inclined to grant anticipatory bail to the petitioner.
2. Accordingly, the application for anticipatory bail is rejected.
3. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)