

11.11.2024
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as
[ALLOWED]

C. R. M. (A) 3711 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domjur Police Station Case No. 597 of 2024 dated 05.08.2024 under Section 64 of Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the POCSO Act and also under Section 9 of the Prohibition of Child Marriage Act, 2006.

In Re: ***Sk. Maidul Islam.***

... ... Petitioner

Mr. Ashok Das,
Mr. Sourav Mukherjee,
Ms. Hazi Jana.

... ... for the petitioner

Mr. Kunal Ganguly.

... ... for the State

Mr. Sujoy Sarkar.

....for the de-facto complainant.

1. Petitioner submits he has married the victim. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State contends victim is a minor.
3. Learned Advocate for the victim does not oppose the prayer for anticipatory bail.
4. We have considered the materials on record. There was a romantic relationship between two young persons. Though victim is a minor, a marriage was solemnized. A child was born to the couple. In this backdrop, we are of the opinion no worthwhile purpose would be served in committing the petitioner to custody.
5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Sk. Maidul Islam** be released on bail upon furnishing a bond of Rs.10,000/-, 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 482(2) of BNSS. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)