

11.11.2024
23
sdas
Allowed

C.R.M. (A) No. 3745 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nandigram Police Station Case No. 564 of 2024 dated 25.06.2024 under Sections 363/365/34 of the Indian Penal Code and Sections 9/10 of Prohibition of Child Marriage Act adding Section 376(3) of Indian Penal Code and Section 6(1) of the POCSO Act.

And

In Re : Bijay Das @ Bijoy Das petitioner

Mr. Kaushikj Chowdhury

.....for the petitioner

Mr. Soumik Ganguly

Ms. Debjani Sahu

....for the State

1. Learned Counsel for the petitioner submits there was an intimate relationship between two young persons. They had eloped and married voluntarily. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits victim is a minor.

3. We have considered the materials on record. Statement of the minor supports the contention of the petitioner. Under such circumstances, we are of the opinion no worthwhile purpose would be served in committing the petitioner to custody. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)