

05.11.2024

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Allowed

C.R.M. (A) No. 3796 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Haridevpur Police Station Case No. 336 of 2024 dated 14.06.2024 under Sections 354/34 of the Indian Penal Code read with Section 8 of the POCSO Act read with Section 9 of the Prohibition of Child Marriage Act.

And

In Re : Santosh Kumar & Ors. petitioners

Mr. Dipayan Kundu

Mr. Soumya Sankar Chini

.....for the petitioners

Mr. Probhas Bhattacharya

Ms. Debjani Sahu

....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. There was a romantic relationship between two young persons. They married each other. In her statement before Magistrate victim stated she does not wish to proceed with the case. Under such circumstances, we are of the opinion no worthwhile purpose would be served in committing the petitioners to custody. Accordingly, we are inclined to grant anticipatory bail to them.

3. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 they shall appear before the court below and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)