

20.11.2024
Sl. No.11
akd
[ALLOWED]

C. R. M. (A) 3989 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 08.11.2024 in connection with Ghatal Police Station Case No.187 of 2024 dated 29.05.2024 under Sections 363/365/34/376(2)(n) of the Indian Penal Code, Section 6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act.

And

In Re: ***Husband of victim***

... .. Petitioner

Mr. Sudip Kushari

... .. for the petitioner

Mr. Ziaul Haque

... .. for the victim

Mr. Anand Kesari
Mr. Rajashree Tah

... .. for the State

1. It is submitted on behalf of the petitioner there was a love affair between two young persons. They have subsequently married. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the de-facto complainant/victim supports this contention.
3. Learned Advocate for the State produces the case diary.
4. We have considered the materials on record. There was a love affair between two young persons. They have married each other. De-facto complainant supports this contention. Her statement before Magistrate also corroborates this fact. In light of the aforesaid materials, we are of the opinion custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail.
5. Accordingly, we direct in the event of arrest, the accused/petitioner, 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)