

20.11.2024

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Partly

Allowed

CRM (A) 4018 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Goghat Police Station Case No. 375 of 2024 dated 22.07.2024 under Sections 85/80 of the BNS adding Section 6 of the POCSO Act.

And

In Re : Surajit Khara & Anr. petitioners

Mr. Niladri Sekhar Ghosh
Mrs. Sompurna Chatterjee
Mr. Sourav Mondal
Mrs. Laboni Sikdar

..... for the petitioners

Ms. Sujata Das
Mr. Mainak Gupta

..... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. We have also examined the statements of witnesses. They stated husband and other in-laws including petitioner no. 1 subjected the minor victim to cruelty. She committed suicide within one year of marriage. Accordingly, we are not inclined to grant anticipatory bail to the petitioner no. 1.
3. Accordingly, prayer for anticipatory bail in so far as petitioner no. 1 concerned is rejected.
4. Allegation against petitioner no. 2, aunt-in-law of the victim is minimal. Accordingly, we are inclined to grant anticipatory bail to her.

5. Accordingly, we direct that in the event of arrest, petitioner no. 2, Moyana Khara 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 subject to the conditions as laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that she shall appear before the court below and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail in so far as petitioner no. 2 concerned is, thus, allowed.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)