

20.12.2024
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Allowed

C.R.M. (A) No. 4373 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Tamluk Police Station Case No. 916 of 2024 dated 17.10.2024 under Sections 137(2)/140(3) of the BNS added Section 8 of the POCSO Act and Section 9 of Prohibition of Child Marriage Act.

And
In Re : XXXX petitioner

Mr. Ayan Basu
Mr. Sourav Bera
Mr. Sumit Routh
.....for the petitioner

Mr. Kunal Ganguly
....for the State

1. Learned Counsel for the petitioner submits there was a romantic relationship between the parties. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record. Victim acknowledges there was a romantic relationship between themselves. In view of the fact there was a romantic relationship between two young persons, we are of the opinion no worthwhile purpose would be served to commit the petitioner to custody. Hence, we are inclined to grant anticipatory bail to the petitioner.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)