

10.01.2025
16.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 8 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POCSO Case No. 56/2024 arising out of Palashipara Police Station Case No. 584/2024 dated 19.11.2024 under Section 85/64 of BNS read with Section 6/17 of POCSO Act and 9/11 of the Prohibition of Child Marriage Act, 2006.

And

In Re: **Gulfun Nesa Munsi @ Gulu Bibi and Anr.**

... .. Petitioners

Mr. Tapodip Gupta.

.... for the petitioners

Ms. Subhasree Patel,
Ms. Trisha Rakshit.

.... for the State

Mr. Md. Bani Israil,
Mr. Md. Aziz Mondal,
Mr. Syed Md. Sayud.

... for the de facto complainant.

1. Heard learned Advocate for the parties.
2. We have considered the materials on record. There was a romantic relationship between the victim and petitioner no. 2. Though victim was a minor it is contended they had subsequently married. *De facto* complainant had also consented to the marriage. Allegations of torture are general and omnibus.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Gulfun Nesa Munsi @ Gulu Bibi** and **(2) Md Sayed Aktar Munshi @ Aktar Munsi** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)