

07.02.2025
Sl. No.55
akd
[ALLOWED]

C. R. M. (A) 407 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 30.01.2025 in connection with Debra Police Station Case No.468 of 2021 dated 10.09.2021 under Sections 363/365/34 of the Indian Penal Code.

And

In Re: **XXX & Anr.**

... .. Petitioners

Mr. Siddhartha Sarkar
Mr. Mansaram Mondal

... .. for the petitioners

Mr. Prasad Bhattacharyya

... .. for the victim

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

... .. for the State

1. It is submitted on behalf of the petitioners there was an intimate relationship between petitioner no.1 and the victim. Upon attaining majority, they had married and presently they have a child. Petitioner no.2 is the mother of petitioner no.1. Accordingly, they pray for anticipatory bail.

2. Learned Additional Public Prosecutor produces the case diary.

3. Learned Advocate for the de-facto complainant does not oppose the prayer for anticipatory bail.

4. We have considered the materials on record. There was free mixing between petitioner no.1 and the victim. They had married and have a child. Petitioner no.2 is the mother of petitioner no.1. Keeping in mind these peculiar facts, we are of the opinion no worthwhile purpose will be served in committing the petitioners to custody.

5. Accordingly, we direct in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only) 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 and on further condition that the petitioners 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.)