

28.02.2025
Sl. No.10
akd
[Rejected]

C. R. M. (A) 709 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.02.2025 in connection with Gazole Police Station Case No.1033 of 2024 dated 17.11.2024 under Sections 85/80/107/65(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 9/10/11 of the Prohibition of Child Marriage Act read with Sections 6/17 of the POCSO Act.

And

In Re: ***Khagendranath Mandal***

... .. Petitioner

Mr. Kazi M. Rahman

... .. for the petitioner

Mrs. Manisha Sharma
Mr. Sobhan Gani

... .. for the State

1. It is submitted on behalf of the petitioner that he is a co-villager. He had no role to play in solemnization of marriage between the minor and one Subhankar. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Statement of the deceased's mother shows the deceased was a minor. She had fallen in love with one Subhankar. Parents of the victim were opposed to child marriage. However, the petitioner being the village head and others compelled them to marry. Thereafter, victim was tortured and she committed suicide.
4. In light of the aforesaid materials on record, we are of the opinion petitioner played a primary role in arranging child marriage which unfortunately lead to suicide of the victim. Hence, we are not inclined to grant anticipatory bail to him.

5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)