

26.03.2025

DL-7
(AD)
(Allowed)

C.R.M. (A) 984 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023; corresponding to Section 438 of the Code of Criminal Procedure, 1973 in connection with **Goaltore** Police Station Case No.**267 of 2023** dated **04.12.2023** being POCSO Case No.203/2023, under Sections **9/10** of the Prohibition of Child Marriage Act. Charge sheet submitted under Sections **498A/376** of the Indian Penal Code, 1860, now pending before the Court of the Learned Additional Chief Judicial Magistrate, Garhbeta at Paschim Medinipur.

And

In the matter of: **XXXX**

....petitioner

Mr. Amitabha Karmakar, Advocate
Mr. Arnab Kumar Neogi, Advocate
Mr. Anirban Saha, Advocate
Mr. Sourav Samanta, Advocate

...for the petitioner

Mr. Rana Mukherjee, Advocate
Mr. Kausik Biswas, Advocate

... for the State.

1. Appearance of the learned Advocates for the State in the order dated March 21, 2025 be corrected by the names of the learned Advocates for the State appearing today.
2. This correction be incorporated in the order dated March 21, 2025 by the department.
3. This is the third police complaint, *inter alia*, under Section 498A of the Indian Penal Code, 1860 against the petitioner. One of the previous proceeding resulted in an acquittal of the petitioner.
4. None appears for the de facto complainant despite service.
5. Report of the State in this regard filed in Court be taken on record.
6. Police filed charge sheet.

7. Considering the materials in the case diary coupled with the fact that, this is the third police complaint with one of the police complaints resulting in acquittal and the police filed charge sheet, we grant anticipatory bail to the petitioner.
8. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
9. The prayer for anticipatory bail of the petitioner is allowed.
10. **C.R.M. (A) 984 of 2025** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)