

18.03.2025
Item No.52
Ct. No. 26
CHC
Rejected

C.R.M.(A) 791 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure Code, 1973/Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **English Bazar** Police Station Case No. **993** of **2024** dated **21.07.2024** under Sections **137(2)/140(3)** of the Bharatiya Nyaya Sanhita, 2023, added Section 6 of the Protection of Children from Sexual Offences Act.

And

In the matter of: Mirja Kashim & Anr.

..... petitioners

Mr. Mrityunjoy Chatterjee, Advocate
Mrs. Suchismita Chakraborty, Advocate
Mr. Debapriya Mazumder, Advocate
....for the petitioners

Mr. Soumik Ganguly, Advocate
Mr. Debanik Das, Advocate
....for the State

1. Victim was notified pursuant to the order dated March 6, 2025.
2. Compliance report in this regard dated March 10, 2025 filed in Court be taken on record.
3. None appears for the de facto complainant or the victim despite service.
4. Petitioners pray for anticipatory bail.

5. It is submitted on behalf of the petitioner that, the principal accused and the victim are agreeable to enter into a marriage.
6. Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary.
7. Minor recorded her statement under Section 183 of the BNSS implicating the principal accused in rape. Complicity of the petitioners in the incident also appears. Apparently, the minor is presently pregnant.
8. Considering the gravity of the offence and the involvement of the petitioners in the incident, we are not inclined to grant anticipatory bail to the petitioner.
9. This application for anticipatory bail is, thus, rejected.

(Debangsu Basak, J.)

(Smita Das De, J.)