

04.08.2025
Sl. No.21
NB

C.R.M. (A) 1237 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur Police Station Case No.231 of 2025 dated March 2, 2025, under Sections 9/10/11 of the Prohibition of Child Marriage Act and Section 6 of POCSO Act, 2012.

In the matter of : Akshoy Biswas @ Akshay Biswas & Anr.
... petitioners

Ms. Puja Goswami
...for the petitioners.

Ms. Faria Hossain Id.APP.,
Ms. Mausumi Sarkar.
...for the State.

Report filed on behalf of the State is taken on record.

It appears that steps are being taken to issue look out notice against the principal accused.

Heard the learned counsels for the parties.

Perused the case diary.

It appears from the statement of the victim recorded before a Magistrate that the present petitioners were very much present when their son was marrying the minor girl in a temple. According to such statement, the principal accused established physical relation with the minor victim in the house of the petitioners.

It also appears that prayers are being made for issuance of proclamation and attachment against the present petitioners.

Considering the serious nature of allegations under the respective provisions of the Prohibition of Child Marriage Act and under the POCSO Act and in view of the incriminating materials

contained in the case diary, I do not consider this to be a fit case for granting anticipatory bail to the petitioners.

The application for anticipatory bail being **C.R.M. (A) 1237 of 2025** is, thus, rejected.

The personal appearance of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)