

CRM (A) 1977 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 **Manikchak** Police Station Case No. **157** of **2025** dated **04.03.2025** (POCSO Case No.183/2025) under Section 4 of POCSO Act read with Sections **137(2)/140(3)/64(1)/115(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023, pending before the Court of the learned Special Judge-cum-ADJ, 2nd Court, Malda.

And

In the matter of : **Shah Kalam & Anr.**

..... Petitioners

Mr. Kazi M. Rahman

... For the petitioners

Mr. Antarikhya Basu

Ms. Rajnandini Das

... For the State

Mr. Abhinaba Mukherjee

... For the de facto complainant

1. The instant application has been filed with a prayer for anticipatory bail.
2. Learned counsel appearing on behalf of the petitioners has submitted that the father of the victim has lodged this complaint on an allegation that on a particular date, the petitioners tried to take away the victim forcibly. On being restrained, the petitioners/accused left the place.
3. Learned counsel appearing on behalf of the State has vehemently submitted that the victim is a minor girl and the son of the petitioners married the minor victim forcibly with the assistance of the petitioners herein in spite of previous subsisting marriage of the son of the petitioners.

4. Considering the nature of offence alleged in the FIR as well as the evidence collected during investigation, I am not inclined to enlarge the petitioners/accused on anticipatory bail.
5. The prayer for anticipatory bail is, thus, rejected.
6. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.
7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Bibhas Ranjan De, J.)