

03.10.2025
137
SR
Allowed

CRM (A) 2088 of 2025

In Re:- An application for Anticipatory Bail under Section 482 of the BNSS, 2023 in connection with Chanchal Police Station Case No.425 of 2024 dated 08.04.2025 under Sections 137(2)/140(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 10/11/9 of the Prohibition of Child Marriage Act, 2006;

.

And

In the matter of : **Bhabesh Das & Ors.**

.... Petitioners.

Mr. Md. Wasim Akram

...for the Petitioners

Ms. Sonali Das

Ms. Ananya De

...for the State

1. Heard learned Advocates for the petitioners and for the State at length.
2. Perused the entire materials as placed before this Court including the materials as available in the case diary.
3. At the very outset, learned Advocate appearing on behalf of the accused petitioners submits before this Court that the petitioner nos. 2 and 4 have already been arrested.
4. In view of such, the instant application for anticipatory bail in respect of the accused petitioner no. 2, namely, **Tetli Das**, and the petitioner no. 4, namely, **Uday Das** has become infructuous and is, thus, dismissed.
5. On careful perusal of the entire materials as available in the case diary, it reveals that the victim girl has already

been recovered and her statement was recorded under Section 183 of the BNSS,

6. It reveals that investigation has already been completed.
7. In the aforementioned statement as recorded under Section 183 of the BNSS, this Court finds no much incriminating materials as against the petitioner nos. 1, 3, 5 and 6. Accordingly, prayer for anticipatory bail is allowed.
8. It is, thus, ordered that in the event of their arrest the present accused petitioner no. **1. Bhabesh Das**, petitioner no. **3. Gobinda Das**, accused petitioner no. **5. Rupa Das @ Aparna Das** and accused petitioner no. **6. Paban Das**, may find bail of Rs. 5,000/- each with one registered surety of like amount each subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda on condition that they shall abide by the provisions of Section 482(2) of the BNSS.
9. Accordingly, CRM (A) 2088 of 2025 is disposed of.
10. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Partha Sarathi Sen, J.)