

AD 25
September 2, 2025
Ct. 28
SG

CRM(A) 2686 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dhantala P.S. Case No.426 of 2025 dated 04.06.2025 under Sections 137(2)/115(2)/117(2)/351(3)/3(5) of the BNS read with Sections 9/10/11 of the Prohibition of Child Marriage Act read with Section 6 of the POCSO Act, 2012.

And

In the matter of:

*Rasida Mondal @ Rasida Khatun @ Rasida Khatun
Mondal and another*

... petitioners

Mr. Navanil De
Mr. Shoumilya Mazumder

... for the petitioners

Mr. Anwar Hossain
Mr. Samarjit Balial

... for the State

Report filed by the State is taken on record.

Despite service no one appears on behalf of the de facto complainant.

Heard learned counsels for the petitioners and the State.

Perused the case diary.

It appears that the petitioners are the mother and the maternal uncle of the principal accused who had allegedly kidnapped the victim. A statement of the 16 years old victim was recorded before the learned Magistrate. It appears from the statement that she had herself gone away with the said principal accused. They got married and stayed together for a particular length of time. Due to torture meted out by the said principal accused and as he was

having an illicit relation with a married woman, she protested. Then, she was beaten up.

It also appears that the principal accused was arrested and is now on bail.

Considering the materials available in the case diary and the alleged role ascribed to the present petitioners, I do not find that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall cooperate with the investigation, the petitioner No.2 shall meet the investigating officer once a fortnight till submission of report in final form and the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)