

19.12.2025
Court No.28
Item No. 25
tbsr

CRM (A) 3936 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Murshidabad** P.S. Case No. **438 of 2025** dated **12.05.2025** under Sections **115(2)/137(2)/303(2)/65/87/3(5)** of the Bharatiya Nyaya Sanhita and under Section 10/9 of the Prohibition of Child Marriage Act and under Section 6 of the POCSO Act.

And

In the matter of : Piarul Sk. & Ors.

....Petitioners.

Mr. Debapriya Samanta
Mr. Akash Chokroborty
Mr. Suhotro Palit
Mr. S. Ghosh
Ms. Riya Saha
Mr. Raktim Siddhanta
Ms. Tiyasa Singha Roy
Ms. Rima Halder

....for the petitioners.

Mr. Saibal Bapuli
Mr. Arani Bhattacharya
.....for the State.

Mr. Suman Bhanja
....for the de facto

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

Learned counsels appearing on behalf of the parties submit that a charge sheet has been submitted with non-bailable sections charged against the CCL boy and bailable sections against the present petitioners. In fact, the charge sheet has been submitted against the petitioners under Sections 115(2) read with Section 3(5) of BNS and Section 10 of the Prohibition of Child Marriage Act. As the offences charged against the present petitioners, as per the charge sheet are bailable in nature, the application for anticipatory bail does not lie.

Accordingly, the application for anticipatory bail is disposed of without any further order, even as to costs by granting liberty to the petitioners to surrender before the learned jurisdictional Court and pray for bail.

Learned jurisdictional Court shall dispose of the application for bail, if filed, in accordance with law without being swayed by the order passed earlier by the sessions Court.

(Jay Sengupta, J.)