

06.01.2025
Sl. No.10
akd
[Rejected]

C. R. M. (A) 4568 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 12.12.2024 in connection with Baishnabnagar Police Station Case No.854 of 2023 dated 29.11.2023 under Sections 363/365 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: **Rahul Sk.**

... .. Petitioner

Md. Wasim Akram

... .. for the petitioner

Mr. Emanul Islam

... .. for the de-facto complainant

Mr. Ashok Das

... .. for the State

1. It is submitted on behalf of the petitioner there was a romantic relationship between the parties. They married under personal law. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits victim is a minor.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail.
4. We have considered the materials on record including the statement of the victim. Victim is a minor. In her statement she states she was forced to sign documents to fake a marriage. Thereafter she had been forcibly raped. In view of the aforesaid statement, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.
5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

