

16.10.2025

Serial no. 1
(Anticipatory bail)
(Allowed)
(Dd)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(A)/768/2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sahebganj** Police Station Case No. **408** of **2025** dated **16.07.2025** under Sections **85/80** of Bharatiya Nyaya Sanhita, 2023 read with Section **6** of the POCSO Act and **9/11** of Child Marriage Act pending before Learned Additional District and Sessions Judge, Special Court, (POCSO) Dinhata.*

-And-

In the matter of : **BBB & Anr.**

... .. Petitioners

*Mr. Debabrata Roy,
Ms. Karabi Roy, Advocates
... .. For the Petitioner
Mr. Aditi Shankar Chakranborty, APP
Mr. Kallol Acharjee, Advocate
... ..For the State*

1. Having heard the submissions of the learned counsel for the petitioners and also taking into consideration the objection of the learned State counsel, it appears that the petitioners are the parents-in-law and the husband of the victim is already in custody.
2. Considering the materials on record I find that the de facto complainant had given marriage of her minor grand daughter with the son of the present petitioners knowing fully well that such marriage is prohibited under law.
3. However, considering all the aspects, I am inclined to grant anticipatory bail to the petitioners.
4. Accordingly, I direct that in the event of arrest the petitioners, namely **BBB** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the

satisfaction of the arresting officer and shall abide by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
6. The application for anticipatory bail of the petitioners stands **allowed**.

(Apurba Sinha Ray, J.)