

16.02.2026
Court No.28
Item No.33
ssi

CRM (A) 250 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Jagatballavpur Police Station Case No.**302 of 2025** dated **07.09.2025** under Sections **137 (2) / 140 (3)** of the BNS 2023 read with Section 6 of the POCSO Act and read with Section 9 of the Prohibition of Child Marriage Act, subsequently charge sheeted under Section 6 of the POCSO Act and Sections 9/11 of prohibition of child marriage act.

And

In the matter of: **Kunja Bera**

.... Petitioner.

Mr. Mritunjoy Chatterjee
Ms. Suchismita Chakraborty
Mr. Prem Raj Sharma
Mr. Debarnab Adhikary

...for the petitioner

Mr. Pravas Bhattacharyya
Ms. Suchismita Dutta

..for the State

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

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the boy who had allegedly eloped with a minor girl. After the two came back, a marriage had to be arranged between them. Now, the petitioner is being hauled up with a charge under the Prohibition of Child Marriage Act. Charge sheet has not been submitted under the POCSO Act.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of the

witnesses. The victim girl refused medical examination. The principal accused was granted bail in this case.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner, the fact that the principal accused was arrested and was granted bail and that the charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioner shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)