

20.02.2026
Sl. No.50
Ct. 28
NB

C.R.M (A) 340 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Englishbazar PS Case No.58/2026 dated 11.01.2026 under Sections 9/10/11 of Prohibition of Child Marriage Act, 2006 read with Section 6/17 of POCSO Act.

And

In the matter of: XXX

... petitioner

Mr. Kazi M. Rahman

...for the petitioner.

Ms. Shaila Afrin,

Mr. Saptarshi Chakraborty

...for the State.

Ms. Minoti Gomes

...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a love affair between the girl and the boy. The two have already got married.

Learned counsel appearing on behalf of the de facto complainant submits as follows. The victim girl had already eloped with the boy. They have got married. At present, she is there at her paternal home. She will complete her studies and after she attains the age of marriage, she would go to the petitioner's place.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, she relies on the statements of the victim made before the learned Magistrate, which exonerates the petitioner.

Considering the above and the other materials available in the case diary, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)