

23/02/2026
D/L - 26
Court No.28
S. Kundu
Allowed

C.R.M.(A) 343 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Chanchal P.S case no. 1088 of 2025 dated 20/8/2025 under Sections 126(2)/115(2)/74/87/3(5) of the BNS read with Sections 9/10/11 of the Prohibition of Child Marriage Act.

In the matter of: Rafikul @ Rafikul Alam & Ors.

...Petitioners.

Mr. Soupal Chatterjee
Ms. Mekhala Kar

...for the petitioners.

Ms. Sayanti Santra
Ms. Diksha Ghosh

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Despite service no one appears on behalf of the alleged victim.
3. Learned counsel appearing for the petitioners submits as follows. The petitioners are the relatives of the principal accused. There was love affair between the principal accused and the 17 year old victim. However, afterwards under the pressure from the parents the victim changed her stand. The principal accused was arrested and was thereafter granted bail. Some others were granted anticipatory bail.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She relies on the statements of the victim recorded before the learned Magistrate and the statements of other witnesses and the injury report of

relatives of the principal victim. However, the alleged victim has refused to undergo medical examination.

5. Considering the above, the other materials available in the case diary and the fact that the principal accused was arrested and was thereafter granted bail and that the alleged victim had refused medical examination, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.
6. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioners shall not threaten or intimidate the witnesses. The petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)