

06.04.2026
Court No.28
Item No.76
tbsr
Allowed

CRM (A) 540 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ranitala** P.S. Case No.**412 of 2024** dated **05.07.2024** under Sections **137(2)/140(3)/3(5)** of the BNS and Section 6 of the Protection of Children from Sexual Offences Act, 2012 adding Section 9/10/11 of Prohibition of Child Marriage Act, 2006.

And

In the matter of: **Sujauddin Sk. @ Suvo Sk.**

....Petitioner.

Mr. Jisan Iqubal Hossain

....for the petitioner

Mr. Prasun Kumar Datta

Mr. Ashok Das

.. for the State

Ms. Minoti Gomes

....for the victim

Leave is granted to amend the cause title.

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 was in a romantic relationship with the alleged victim. The alleged victim is presently more than 18 years old. The two have got married. The couple have a child and all are living together in the house of the petitioner.

Learned counsel appearing on behalf of the victim, upon instructions from her, submits that she has now married the alleged accused/petitioner and is living happily at her matrimonial home. The two have a child.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of witnesses. However, the alleged victim had refused to undergo medical examination. In her examination before the learned Magistrate, she admitted that she had voluntarily left and married the present petitioner. However, she had been sent to a Home at that time.

Considering the above, the other materials available in the case diary, the claim of the alleged victim that she is presently residing with her husband/the present petitioner and their child and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

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 condition that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and regularly attend the jurisdictional Court and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)