

31.03.2026
Court No.28
Item No.60
tbsr
Reject

CRM (A) 571 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Islampur** P.S. Case No.**652 of 2025** dated **05.11.2025** under Sections **9/10/11** of the Prohibition of Child Marriage Act, 2006 and 6 POCSO Act and 64(2)(m) of the BNS.

And

In the matter of: XXXX

....Petitioner.

Md. Hafiz Ali

...for the petitioner

Mr. Provas Bhattacharya

Mr. Raju Mondal

... for the State

Supplementary affidavit filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. An NGO has lodged a false case implicating the present petitioner. The petitioner was, in fact, married to the alleged victim.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He submits that although medical examination was refused by the 15 year old girl, she alleged in her statement before the learned Magistrate that the present petitioner, being the principal accused, and his parents had forcibly conducted the marriage between the two. She was kept in the house for three days. She was beaten up and forcibly raped. Thereafter, she was driven out from the house as the petitioner and his mother stated that the petitioner did not like her. Learned counsel also relies on the statements of neighbours, which substantially support the prosecution case.

Considering the above, the other incriminating materials available in the case diary and alleged roles ascribed to the present petitioner, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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.)