

02.04.2026
Sl. No.28
Ct. 28
NB

C.R.M (A) 605 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 Kaliachak PS Case No.510/2024 dated 19.04.2024 under Sections 365/363/34 of the Indian Penal Code read with Section 6/17 of the POCSO Act, 2012.

And

In the matter of: XXX

... petitioner

Md. Wasim Akram,
Ms. Safrina Parveen.
...for the petitioner.

Ms. Sonali Das,
Ms. Rituparna Saha.
...for the State.

Ms. Reshmi Khatun
...for the de facto complainant.

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

Learned counsel appearing on behalf of the petitioner submits that the alleged victim had eloped with the petitioner and got married. In fact, right now they are having a child.

Learned counsel appearing on behalf of the de facto complainant supports the contention of the petitioner.

Learned counsel appearing on behalf of the State relies on the case diary and the subsequent statement of the alleged victim recorded before the learned Magistrate.

According to such statement, she had got married to the petitioner after becoming an adult. No one forced her. She is staying with her husband and child.

Considering the above, the other materials available in the case diary and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present 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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court.

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.)