

21.04.2026
Court No.28
Item No. 12
tbsr
Allowed

CRM (A) 1070 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Narayangarh** P.S. Case No.**258 of 2025** dated **07.11.2025** under Sections **6** of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

And

In the matter of: **XXX & another**

....Petitioners.

Md. Ashraf Ali
...for the petitioners.

Mr. Arindam Sen
Md. Y. A. Ismail
....for the State.

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents of the principal accused. Few years ago, the principal accused got married to the alleged victim. At the time of delivery of a child, the hospital authorities informed the police alleging that the victim was a minor at that time. The principal accused is presently in custody.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the victim girl. She was 18 years old at the time of recording of her statement. According to her, she had eloped with the principal accused and married him.

Considering the above, the other materials available in the case diary, the fact that the principal accused is still in custody, the

alleged roles ascribed to the present petitioners and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners.

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

The application for anticipatory bail is, thus, allowed.

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.)