

28.04.2026
Court No.28
Item No. 10
tbsr
Allowed

CRM (A) 1162 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tamluk** P.S. Case No.**894 of 2025** dated **08.11.2025** under Sections **140(3)/64(2)(m)/74/75/3(5)** of the BNS and Section 6/12 of the POCSO Act charge sheet submitted under section 17 of POCSO Act and Section 10 of Prohibition of Child Marriage Act and under Section 75(1) of the BNS, Section 12/17 of POCSO Act and Section 10/11 of Prohibition of Child Marriage Act and under Section 17 of POCSO Act and Section 10/11 of Prohibition of Child Marriage Act.

And

In the matter of: XXXXA & Ors.

....Petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
...for the petitioners.

Ms. Sonali Das
Ms. Sana Naaz
....for the State.

Mr. Arun Kumar Das
....for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents of the principal accused and his brother. The principal accused is in custody. Charge sheet has been submitted.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statement of the 16 year old victim girl, the medical report and the other statements of witnesses. It is the case of the victim girl that the two got acquainted

and got married. According to the statement, at the time of marriage, the parents of both the private parties were present.

Considering the above, the other materials available in the case diary, the fact that the principal accused was arrested and the fact that charge sheet has been submitted, I do not think that custodial interrogation of the present petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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.)