

17/06/2026
D/L – 14
Court No.28
S. Kundu
Partly Allowed

C.R.M.(A) 1381 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Karandighi P.S case no. 49 of 2026 dated 21/02/2026 under sections 126(2)/115(2)/117(2)/303(2)/3(5) of the BNS read with Sections 9/10 of the Child Marriage Act, read with Section 6 of the POCSO Act.

In the matter of: Md. Hanifa & Ors.

...Petitioners.

Mr. Amit Roy

...for the petitioners.

Mr. Sagnik Roy Chowdhury

Mr. T. Mitra

...for the de-facto complainant.

Mr. Krishnendu Bhattacharyya

Ms. Tanushree Kar

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. There was a relationship between the alleged victim and the principal accused. The present petitioners are only the parents-in-law, the grandfather and the brothers of the principal accused. They were in no way connected with the alleged offences. The principal accused is still in custody.
2. Learned counsel appearing on behalf of the de-facto complainant/father of the victim strongly opposes the prayer for anticipatory bail. He submits that all the petitioners were in collusion with the principal accused. The minor victim girl was beaten up brutally by the husband and the present petitioners.

3. Learned APP representing the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the injury report of the victim and the medical examination report. He also refers to the statement of the victim recorded before the learned Magistrate, the FIR, the statements of other witnesses including independent ones. The victim's statement makes it clear that although she was a minor, the principal accused entered into a physical relationship with her, married her and took her to his place. In spite of this, he got married again within a few months to another person. When the victim protested, she was brutally assaulted by the husband and the petitioners. She was even kept tied to a tree near the house. Statements of witnesses including the independent ones support such contentions.
4. Considering the above, the other incriminating materials available in the case diary and the fact that the petitioner no. 2 is a female member of the household and the petitioner no. 3 being the grandfather-in-law of the victim is aged about 71 years, although I am inclined to grant anticipatory bail to the petitioner nos. 2 (Maneda Bibi) and 3 (Sahabat @ Sahabuddin), the application for anticipatory bail of the remaining petitioners in the instant case is rejected.
5. In the event of arrest, the petitioner nos. 2 and 3 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 further conditions that the said petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no. 3 shall meet the Investigating Officer once a fortnight till submission of report in final form.

6. Accordingly, the application for anticipatory bail is allowed-in-part.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)