

15.09.2020
(27) KC

C.R.M. 6555 of 2020
With
CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 438 of 2019 dated 05.10.2019 under Section 354(c) of the Indian Penal Code and Sections 66E/67A of the Information Technology (Amendment) Act, 2008.

In the Matter of : Shajahan Mondal @ Sahajan
.... petitioner.

Mr. Sananda Bhattacharya.....For the petitioner.

Mr. Imran Ali,
Mr. M.F. A. Begg.....For the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The allegation against the petitioner is that he obtained compromising photographs of the survivor and posted them on the social media.

There has to be zero tolerance in such matters. Prima facie, it appears that the petitioner was in possession of the photographs and it is possible that the petitioner posted the same on the social media. The petitioner claims that the petitioner was in Kerala at the relevant point of time, but that is immaterial since material to be uploaded on the website or on the social media may not be affected by the geographical location of a person.

Considering the material against the petitioner, the prayer for bail is refused.

CRM 6555 of 2020 along with the interim application therein are disposed of.

(SANJIB BANERJEE, J.)

(ANIRUDDHA ROY, J.)