

C.R.M. 9551 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Thakurpukur P.S. Case No.150 of 2020 dated 18.08.2020 under sections 376/417/406/420/506 of the Indian Penal Code.

And

In the matter of: Sk. Akib Ali

Mr. Taneesha Saha Poddar

... ... for the petitioner

Mr. Prasun Kr. Dutta

Mr. Subrato Roy

... ... for the State

Mr. Rajdeep Bhattacharya

... ... for the de facto complainant

It is submitted on behalf of the petitioner that the victim is a major consenting lady.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Learned lawyer for the de facto complainant also opposes the prayer for anticipatory bail.

We have considered the materials on record including the statement of the victim lady under section 164 Cr.P.C. It is alleged that the victim was blackmailed by using obscene pictures. No electronic evidence with regard to such obscene pictures is place on record.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall not enter the jurisdiction of Thakurpukur Police Station until further orders except for the purpose of investigation and attending Court proceedings and shall provide the address where he shall presently reside to the investigating agency as well as the Court below and shall report to the officer in charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

This application for anticipatory bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)