

09.11.2021
tkm/ct 28
sl no. 13

C.R.M. 7070 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bidhannagar Cyber Crime P.S case no. 90/2020 dated 28.12.2020 under sections 469/500/509 and later added sections 376/376(ii)(f)/376(ii)(j)/376D/370 (1) & (3)/34 of the Indian Penal Code and sections 67A/66E of the Information Technology Act

And

In Re : Sri Umesh Chandra Nath petitioner

Mr. Pawan Kr.Gupta
Ms. S Nesar
Ms. S Sett

..... for the petitioner

Mr. Bivas Chatterjee
Ms. Anushree Mondal

..... for the State

Petitioner is in custody for 240 days. It is submitted on behalf of the petitioner that he is not the principal accused and was a mere light-man when the nude pictures of the victim girls were taken.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner is one of the conspirators and pursuant to the conspiracy, nude photographs of the minor girls were taken and they were sexually exploited by blackmailing them. Trial has commenced and examination of the victim girls are in progress.

We have considered the materials on record. Allegations are very grave and there are materials to show that the petitioner participated in taking nude pictures of the victim girls who were subsequently exploited.

In view of the aforesaid facts and the prima facie involvement of the petitioner in the alleged offence and as the case is poised at a delicate stage where vulnerable witnesses are being examined, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)