

05.08.2021

Court No.28
Item No.34
(Rejected)

Akd
&
As

CIRCUIT BENCH OF CALCUTTA HIGH COURT

AT
JALPAIGURI

CRM 776 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with General Register Case No. 682 of 2021 arising out of Kharibari Police Station Case No. 63 of 2021 dated 27.02.2021 under Sections 376/354B/506/509/34 of the Indian Penal Code read with Sections 4/6 of the Indecent Representation of Women (Prohibition) Act, 1986;

And

In the matter of : **Pintu Biswas & Anr.**

...Petitioners

Mr. Sudhindra Das,
Mr. Arnab Saha.

...For the Petitioners

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly.

...For the State.

Apprehending arrest in connection with General Register Case No. 682 of 2021 arising out of Kharibari Police Station Case No. 63 of 2021 under Sections 376/354B/506/509/34 of the Indian Penal Code read with Sections 4/6 of the Indecent Representation of Women (Prohibition) Act, 1986, the petitioners have filed the instant application for anticipatory bail.

The learned Advocate for the petitioners resumes his submissions saying that the de facto complainant is a professional sex worker.

However, we do not find from the four corners of the written complaint that the de facto complainant or her sister-in-law is the sex workers as alleged by the learned Advocate for the petitioners. It is the specific allegation against the present petitioners that they took certain obscene photographs of the de facto complainant and her sister-in-law and threatened them to make the said photographs public, if the de facto complainant and her sister-in-law refused to please them.

Considering the nature and gravity of allegation and in view of the fact that the charge sheet has been filed showing the petitioners' abscondance, we are not inclined to release them on anticipatory bail.

The prayer for anticipatory bail of the petitioners is thus rejected.

The application for anticipatory bail being CRM 776 of 2021 is dismissed.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)