

14.12.2021
SL No. 21
Court No.1
(PJ/SK)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 871 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 Pradhannagar P.S. Case No. 457 of 2021 dated 03.07.2021 under Sections 417/376 of the Indian Penal Code, 1860 read with Section 6 of Protection of Children from Sexual Offences Act.

And

In the matter of : **Rahul Mahanta**

- Petitioner.

Mr. Ranadeb Sengupta,
Mr. Somnath Banerjee,
Mr. Pronojit Roy

... For the Petitioner.

Mr. Aditi Shankar Chakraborty, APP,
Mr. Sagnik Sankar Sikdar

... For the State.

Mr. Hillol Saha Poddar ... For the de facto complainant.

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. The complaint was lodged as a counterblast to the complaint made by the petitioner against the complainant and her relatives.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and produces before us the Case Diary. It is submitted that it would reveal from the Case Diary that the accused had published intimate photographs of the complainant with the petitioner thereby outraging her modesty.

Having considered the materials on record and bearing in mind the nature of involvement of the petitioner in the commission of the alleged offence, we are not inclined to grant the prayer for anticipatory bail at this stage.

Accordingly, the prayer for anticipatory bail is rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J.)

(Soumen Sen, J.)