

28.09.2021
Court No.01
Item No. 37
Rejected
Krishnendu

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 985 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re : **Aditya Prasad**

Petitioner

Mr. Sabir Ahmed

Mr. Hillol Saha Podder

For the Petitioner

Mr. Abhijit Sarkar

Mr. Saikat Chatterjee

For the State

Apprehending arrest in connection with Siliguri Cyber Crime Police Station Case No. 109 of 2020 dated 09.08.2020 under sections 509/506/376 of the Indian Penal Code, 1860 and sections 66E/67A of the Information Technology Act, 2000, the petitioner has filed the present application.

Mr. Ahmed, learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and

the victim lady. He has been falsely implicated. The allegations levelled against the petitioner are absolutely unfounded. In the said conspectus, custodial interrogation is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the statement of the victim lady, as recorded under section 164 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, particularly the statement of the victim lady, as recorded under section 164 of the Code of Criminal Procedure, the gravity of the offence and the extent of complicity of the petitioner in the alleged crime, we are not inclined to exercise any discretion in favour of the petitioner, more so when, investigation is yet to be completed. Accordingly, the prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being C.R.M. No. 985 of 2021 is dismissed.

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

(Abhijit Gangopadhyay, J)

(Tapabrata Chakraborty, J)