

30.09.2022
tkm/ct 28
sl. 85

C.R.M. (DB) 3506 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raiganj Cyber Crime Case No. 5 of 2022 dated 6.3.2023 under Section 500 of the Indian Penal Code read with Section 67A of the I.T. Act, 2000

And

In Re : Prosenjit Burman

..... petitioner

Mr. Dwaipayan Banerjee,
Mr. Abir Das

..... for the petitioner

Mr. T. D. Nandy,
Ms. Antarikhya Basu

..... for the State

Petitioner submits he had been arrested prior to lodging of Fir. This exposes falsehood of the allegations in the FIR. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

Materials on record show the minor victim had been raped by the petitioner. Her objectionable pictures were also uploaded on a social media site. Arrest prior to registration of FIR, even if true, does not affect the intrinsic truth of the accusations which are supported by evidence collected during investigation.

In view of the aforesaid circumstances and the gravity of the offences, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)