

05.12.2022
Serial no. 26
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 5644 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Noapara** Police Station Case No. **381** of **2022** dated **03.11.2022** under Sections **323/341/384/420/354/506/509/120B** of the Indian Penal Code corresponding to GR case no. **10547/2022**
-And-

In the matter of : **Joydip Roy @ Joydeep Roy & Ors.**
... .. **Petitioners**

Mr. Pranab Halder,
Mr. Aniket Mitra,
Mr. Swarvanu Saha, Advocates
... .. *For the Petitioners*

Mr. Anowar Hossain,
Ms. Ratna Ghosh, Advocates
... .. *For the State*

The police complaint was lodged 5 years from the date of incident by way of a petition under Section 156(3) of the Criminal Procedure Code.

It is claimed on behalf of the de facto complainant that the petitioners possessed offensive pictures which the petitioners are threatening to circulate in the internet.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Apparently, the police seized four photographs which depict the relationship between the petitioner and the de facto complainant. Both are adults.

Considering the delay in the lodgement of the First Information Report and the materials in the case diary, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos. 1 and 2 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 3 shall cooperate with the investigation till its completion and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 5644 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)