

04.01.2022

Item no.2.

Court No.1.

AB

(Rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Via Video Conference)**

CRM No. 872 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Cyber Police Station Case No.35 of 2021 Dated 17.6.2021 under Sections 354C/500/501/506/509/384/294/32 of the Indian Penal Code read with Sections 66/66E/66C/67 of the I. T. Act

And

In the matter of: Bikram Roy Dakua

.....Petitioner.

Mr. Anirban Banerjeefor the Petitioner.

Mr. Nilay Chakraborty,
Mr. Tapan Bhattacharya.....for the State.

The allegation against the petitioner is under various sections of the Indian Penal Code and the Information Technology Act. The main allegation is under Section 67A of the Information Technology Act.

The prosecution case is that the petitioner took pictures of the victim lady while she was taking bath and then circulated the same in social media. This, if found to be correct, will definitely qualify as a very heinous act.

We have seen the case diary and have heard learned Counsel for the parties. We are of the view that this is a case

where custodial interrogation of the petitioner may be necessary and he does not qualify for anticipatory bail.

Accordingly, C.R.M. No. 872 of 2021 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)