

17.01.2023

41

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 213 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **94** of **2022** dated **09.12.2022** under Sections 417/419/376 of the Indian Penal Code.

And

In Re : Pabitra Manna

..... petitioner

Mr. Sanjib Kumar Daan

Mr. Saryati Dutta

....for the petitioner

Mr. Debabrata Chatterjee

Ms. Debjani Dasgupta

....for the State

Petitioner and the victim are adults.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure acknowledges that there was a pre-existing relationship between her and the petitioner. She also complains that the petitioner took offensive photographs and videography of her.

In such circumstances, the petitioner will surrender his mobile phone to the Investigating Officer forthwith.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of

Rs.10,000/-, 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 shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)