

06.02.2023

Sl.16

Court No.29

(AD)

(Allowed)

C.R.M. (A) 474 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No.**01 of 2023** dated **02.01.2023** under Sections **491/376/379/323/406/506/509** of the Indian Penal code, 1860 in correspondence to GR No.17/2023.

And

In the matter of: **Jainal Abedin**

....petitioner.

Mr. Kunal Ganguly

... for the petitioner.

Mr. Binay Panda

Mr. Subham Bhakat

...for the State.

Petitioner prays for anticipatory bail.

There is a delay of 77 days in the lodgment of the First Information Report.

The statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure states that the petitioner and the de facto complainant are known to each other. Apparently, they entered into a relationship voluntarily.

As adults, they are supposed to be aware of such relationship.

There is an allegation that the petitioner took offensive photographs of the de facto complainant.

In such circumstances, we direct the petitioner to surrender his mobile phone with the Investigating Officer forthwith.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject

to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 474 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)