

17.04.2023

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rejected

C.R.M. (DB) No. 1502 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Garfa Police Station Case No. 28 of 2022 dated 28.01.2022 under Sections 376(1)/506/509 of the Indian Penal Code and Sections 67/67A of the IT Act.

And

In Re : Tarun Adhikari petitioner

Mr. Amitabha Ghosh
... for the petitioner

Ms. Zareen N. Khan
Md. Kutubuddin
... for the State

Learned Counsel for the petitioner submits he is in custody for 470 days. It is also submitted victim did not appear before the trial court to depose. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits victim had an intimate relationship with the petitioner. Relying on the trust she shared her intimate video pictures with the petitioner. Petitioner fraudulently circulated the pictures to various persons to malign the victim.

We have considered the materials on record. Obscene pictures were recovered from the mobile phone of the petitioner. Statement of witness shows petitioner circulated the intimate pictures of the victim. Prima facie materials disclose ingredients of offences under the Information Technology Act. Trial is in

progress. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)