

18.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1633 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pandua** Police Station Case No. **105** of **2023** dated **01.03.2023** under Sections **376/506/504** of the Indian Penal Code.

And

In the matter of : Sk. Jisan Uddin alias Sagar

..... petitioner

Mr. Souvik Mitter,
Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha
....for the petitioner

Mr. Iqbal Kabir
....for the State

Mr. Arunava Ganguly,
Mr. Kunal Ganguly,
Ms. Sanchari Chakraborty
...for the de facto complainant

State and de facto complainant are represented.

De facto complainant in her statement recorded under Section 164 of the Criminal Procedure Code admits a relationship with the petitioner. She however, claims physical relationship was entered into on certain promises which were not kept subsequently.

Moreover, petitioner took offensive photographs and video recording of her which was used by the petitioner to blackmail her.

Neighbours statements suggest that there was a relationship between petitioner and the de facto complainant and that the petitioner is no longer willing to marry the de facto complainant.

As noted above, both are adults. They are supposed to be aware of the consequences of their relationship.

Petitioner will surrender his mobile phone forthwith to the Investigating Officer.

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

Accordingly, we direct that in the event of arrest the petitioner will 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 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 in a fortnight till the conclusion of 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.)