

05.07.2023  
Sl. No.124  
**akd**  
[ALLOWED]

**C. R. M. (DB) 2276 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.06.2023 in connection with Khanakul Police Station Case No.224 of 2019 dated 21.08.2019 under Sections 354(c)/376/506 of the Indian Penal Code and Sections 66E/67A of the Information Technology Act. (G.R. Case No.997 of 2019)

And

In Re: **Sahabuddin Mallick @ Sahabuddin Alam Mallick**  
... .. Petitioner

Md. Asraf Ali  
Mr. Golam Mohiuddin  
Ms. Puja Mondal

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor  
Mr. Subrato Roy

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Electronic evidence with regard to uploading of obscene pictures of the victim has not been collected. There was free mixing between the parties. Whether the allegation of rape through blackmailing is probable may be assessed in the light of the aforesaid circumstances during trial. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sahabuddin Mallick @ Sahabuddin Alam Mallick**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders

and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**