

05.07.2023

Sl. 19

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2374 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhangore** Police Station Case No. **172** of **2022** dated **26.03.2022** under Sections **376/417/506** IPC, corresponding to G.R. Case No. 1784 of 2022 pending before the learned ACJM, Baruipur South 24 Parganas (GRO).

And

In the matter of: **Sri Sandip Gupta @ Sandip**

....petitioner.

Mr. Z. Islam

Ms. B. Khatoon

...for the petitioner.

Mr. Goutam Wilson

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner and the victim lady both are married and the victim lady has a 15 years old daughter. In spite of such fact both entered into a consensual physical relationship and subsequently, the FIR has been filed by the victim. Such fact is forthcoming from the statement of the victim recorded under Section 164 Cr.P.C.. Though there is an allegation regarding the fact that the petitioner made some objectionable photographs of the victim viral, the I.O. has not yet collected any evidence to that effect from any source and there is also no charge under I.T. Act as found from the formal FIR.
3. Investigation is stated to have progressed substantially.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, his social status, circumstances involved and substantial progress in the investigation, it is directed that the petitioner

shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. The petitioner is directed to appear before the I.O within 21 days from today along with a server copy or certified copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2374 of 2023** is disposed of.
8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

