

08.08.2023
SL. 13
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2802 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Krishnagar Cyber Crime** Police Station Case No. **02 of 2023** dated **30.01.2023** under Sections **417/376C/306** of the IPC and Sections **4/12** of POCSO Act.

And

In the matter of: **Amit Santra**

....petitioner.

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioner.

Mr. Anowar Hossain
Ms. Ratna Ghosh

...for the State.

Mr. Arnab Chatterjee
Ms. Roma Roy
Ms. Poulami Bose

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. It is submitted by learned Counsel for the informant that, the informant's daughter was in a romantic relationship with the petitioner. The petitioner having joined in Army, went to the place of posting and there was some miscommunication between the petitioner and the informant's daughter. Now communication between the petitioner and the victim having been revived, it has been decided by the family members that the victim shall be given in marriage to the petitioner after the victim attains majority within 6/7 months from today by fixing an auspicious date for the same.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, development which took place in the meantime and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in

the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Before parting with the order, we are directing the I.O. to keep the obscene photographs of the victim as lying in page Nos. 57 and 58 of the C.D in sealed cover. We further direct the I.O. to return those photographs along with the originals and copies thereof to the victim girl in strict confidentiality.
7. We further direct the D.G. of Police to issue a circular to all the Police Station to show sensitivity in such type of cases and keep obscene photographs, if seized or taken from viral video in sealed cover even for production before the Court.
8. The application being **CRM (A) 2802 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

