

23.08.2023
Sl. No.33
akd
[Rejected]

C. R. M. (DB) 3299 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.08.2023 in connection with Bidhannagar Cyber Crime Police Station Case No.90 of 2020 dated 28.12.2020 under Sections 500/509/469 of the Indian Penal Code read with Sections 66E/67A of the Information Technology Act, 2000 and subsequently charge sheet submitted under Sections 469/500/509/376/376(ii)(f)/376(ii)(j)/376(d)/370(1) & (3)/34 of the Indian Penal Code read with Sections 67A/66E of the Information Technology Act.

And

In Re: **Saheb @ Debojyoti Sarkar**

... .. Petitioner

Mr. Tarunjyoti Tewari
Mr. Aniruddha Tewari

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Iqbal Kabir

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 829 days. It is further submitted victims have already been examined. There is no direct allegation against the petitioner. Accordingly, he renews his prayer for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner was the floor Manager and the accused had under coercion and threat taken obscene videos of the minors which were uploaded.
3. We have considered the materials on record. Evidence of the minors disclose the presence of the petitioner while they were coerced and their videos were taken. Trial is in progress. In view of the nature of offence, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

5. Trial court is directed to conduct the trial on a day to day basis and conclude the same at an early date.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)