

AD-28
Ct No.01
Jalpaiguri
14.09.2023
B.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 730 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 31.08.2023 in connection with Falakata Police Station Case No. 258 of 2023 dated 05.06.2023 under Sections 376/417/506/323/34 of the Indian Penal Code, 1860, corresponding G.R. Case No.1065 of 2023.

And

In the matter of: RASHIDUL HAQUE @ BAPPA

...petitioner

Mr. Hillol Saha Podder,

... for the petitioner

Mr. Abhijit Sarkar,
Mr. Sourav Ganguly

... for the State

1. Learned counsel for the petitioner submits that there was a romantic affair between the petitioner and the victim, who is a married lady. However, subsequently, upon the relation coming to light, to cover up, the de facto complainant lodged the complaint against the petitioner.
2. Learned counsel for the State vehemently opposes the prayer for anticipatory bail and submits that not only did the petitioner have an affair with the victim, subsequently taking advantage of the same, the petitioner took 'selfies' and compromising videos with the victim and thereafter had the

same circulated on the internet and social media. Moreover, on the threat of further circulation of the videography, the petitioner and the other co-accused persons allegedly had their way with the petitioner on subsequent occasions as well.

3. Although learned counsel for the petitioner submits that the petitioner is agreeable to any stringent condition for anticipatory bail, in view of the gravity of the alleged offence against the petitioner and the fact that the investigation is still going on.
4. Hence, CRM (A) 730 of 2023 is dismissed.
5. However, this order shall not preclude the petitioner from approaching the appropriate forum with a prayer for regular bail.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)