

22.4.2024
SL No. 421
Ct No. 29
Srimanta /SB

C.R.M. (A) 1234 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jorasanko** P.S. Case No. 31 of 2024 dated 21.2.2024 under Sections 376/417/313/506/509/34 of the Indian Penal Code.

And

In the matter of: Md. Aman

....Petitioner

Mr. Arindam Jana
Mr. Subhajit Chowdhury

...for the Petitioner

Mr. Antarikhya Basu
Ms. Sudeshna Das

...for the State

Mr. Avik Ghatak
Mr. F. Imam
Mr. S. Ansari
Mr. Soham De Dhar

... for the de facto complainant

1. Petitioner and the de facto complainant are adults.
2. Apparently, they entered into a physical relationship ostensibly on the ground of promise of marriage. As to whether, the relationship was entered into on the parameters was claimed by the de facto complainant or not may be decided at the time of trial. Documents of forceful miscarriage in the case diary suggest that the petitioner and the de facto complainant consulted a doctor. As noted above, both are adults. They are supposed to be aware of the consequence of their action.
3. It is submitted on behalf of the de facto complainant that offensive pictures are in the mobile phone as well as laptop of the petitioner.

4. In such circumstances, petitioner will surrender his mobile phone as well as laptop that he used during the relevant period to the Investigating Officer forthwith.
5. We grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall appear before the Investigating Officer once in a week till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)