

19.04.2024

DL-10
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1270 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baranagar** Police Case No.**698 of 2023** dated **06.11.2023** under Section **354** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate at Barrackpore. (G.R. Case No.9081 of 2023).

And

In the matter of: **Sri Sarupam Roy**

....petitioner.

Mr. Soumyajit Das Mahapatra
Mr. Supriyo Das

...for the petitioner.

Md. Adil Badr
Mr. Sufi Kamal

... for the State.

1. Petitioner before us is the certified yoga teacher. Apparently, the de facto complainant was availing of the facility at yoga center where, she claims that the petitioner outraged her modesty.
2. We perused the statement under Section 164 of the Code of Criminal Procedure of the de facto complainant. As to whether, the incident as narrated by the de facto complainant constitute an outraging of modesty may be decided at the trial.
3. Therefore, we grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the

investigation and on condition that 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) 1270 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)