

06.08.2024  
Sl No.74  
Court No.29  
TN  
(Allowed)

**CRM (A) 2694 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Gopalnagar Police Station Case No. 12 of 2024 dated 04.01.2024 under Sections 306/120B/34 of the IPC, 1860 read with Sections 66 & 67 of the Information Technology Act, 2000.

And

In the matter of : **Kartick Biswas and others**

.... petitioners

Mr. Md. Abdur Rakib,  
Mr. Somnath Majumder

....for the petitioners

Mr. A. Chatterjee

....for the *de facto* complainant

Mr. Debasish Roy, Ld. PP,  
Mr. Arijit Ganguly,  
Mr. Koushik Kundu

... for the State

1. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.
2. The learned counsel for the State and the *de facto* complainant have opposed the prayer for anticipatory bail.
3. It is submitted that due to uploading of a video by the petitioners of a confessional statement of the victim, since deceased, of her mistake the victim has committed suicide. It is submitted that in view of the fact that the petitioners are absconding, the devices through which the video was uploaded in the social media could not be recovered.

4. The learned counsel for the petitioners submits that the petitioners are willing to surrender and deposit the mobile phones and any other devices which may contain video recording of the alleged incident.
5. Considering the materials available in the case diary and the nature and complicity of the petitioners in the commission of the alleged offence and the undertaking by learned counsel for the petitioners to surrender the devices and/or mobile phones, we are inclined to grant anticipatory bail to the petitioners.
6. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Kartick Biswas, Rupali Biswas, Anuj Biswas and Uma Biswas** respectively shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023.
7. The petitioner no.1 and 4 shall meet the Investigating Officer once in a week or as and when required till submission of the final report. The petitioner nos.2 and 3 shall cooperate with the investigation.
8. All the petitioners shall surrender their mobile phones and the Investigating Officer shall for the purpose of investigation seize the said mobile phones till the conclusion of the investigation.

9. It is further directed that all the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas within two weeks from date and pray for regular bail.
10. Accordingly, the application for anticipatory bail is disposed of.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**