

29.08.2024
Sl No.21
Court No.29
TN

CRM (A) 2836 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 Tamluk Police Station Case No.536 of 2024 dated 22.06.2024 under Sections 376(2)(n)/323/324/294/506/509/34 of the Indian Penal Code.

And

In the matter of : **Ajimul Khan @ Ajibul Khan**

.... petitioner

Mr. Arup Kumar Bhowmick

....for the petitioner

Ms. Tannistha Bandyopadhyay

... for the victim

Mr. Arindam Sen,
Mr. Arani Bhattacharya

....for the State

1. Heard the learned counsel for the parties including the *de facto* complainant.
2. Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure read with the FIR directly implicating the petitioner for the alleged offence and *prima facie* there are offences under the Information Technology Act which surprisingly the Investigating Officer (IO) did not add while registering the FIR, we are not inclined to grant anticipatory bail to the petitioner.
3. Accordingly, the application for anticipatory bail is rejected.
4. The IO must take steps for addition of section for the offence under the Information Technology Act.

5. 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.)