

03.01.2024

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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4326 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Purulia (M)** Police Station Case No. **213** of **2023** dated **6.9.2023** under Section 417/376/506 of the Indian Penal Code.

And

In Re : Sujoy Mandal @ Sujay Mandal

..... petitioner

Mr. Sanjib Kumar Dan

Mr. Saryati Datta

....for the petitioner

Mr. Sudip Kumar

....for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

Report submitted in Court be taken on record.

It appears from the report that the mobile phone of the petitioner was seized and no incriminating material was found. The victim in her statement recorded under Section 164 of the Cr.P.C. stated that there was relationship between the

petitioner and her and that the petitioner took offensive photos of her.

At this stage, police are unable to find any incriminating material from the mobile phone of the petitioner. Both the petitioner and the victim are adults.

In such circumstances, we confirm the interim order dated October 16, 2023 to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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 and on further condition that the petitioner shall meet the Investigating Officer once in a month 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

