

06.02.2024

38
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 5382 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **650 of 2023** dated **19.11.2023** under Sections **417/376/506** of the Indian penal Code.

And

In Re: Alok Mondal @ Alak Mandal @ Alok Mandal

..... petitioner

Mr. Kallol Mondal

Ms. Roma Roy

....for the petitioner

Mr. Iqbal Kabir

...for the State

Ms. Papiya Chattopadhyay

...for the defacto-complainant

Petitioner, victim and the State are represented.

Victim recorded a statement under Section 164 of the Cr.P.C.

Both the petitioner and the victim are adults.

Apparently, police complaint was lodged subsequent to the relationship turning soured.

It is the contention of the victim that indecent pictures of the victim were circulated on the social media platform.

On a query from the Court as to whether there are any materials to substantiate such allegation, learned advocate for the victim submits that, photographs were shown from the mobile phone belonging to the petitioner.

Therefore, at this stage, the victim is not in a position to substantiate that there is any circulation of the so-called indecent pictures.

In such circumstances, we grant anticipatory bail 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. The petitioner will report before the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

