

19.12.2024

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Allowed

C.R.M. (A) No. 4319 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nanda Kumar Police Station Case No. 536 of 2024 dated 30.08.2024 under Sections 376/417/493/406/506/509 of the Indian Penal Code.

And
In Re : Sumit Bhowmik @ Bhaumik petitioner

Mr. Milan Mukherjee, Sr. Adv.
Mr. Dattatreya Dutta
.....for the petitioner

Mr. Bitashok Banerjee
Mr. Debanik Das
....for the State

1. Learned Senior Advocate for the petitioner submits there was a romantic relationship between the parties. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record including statement of the victim. She stated she got acquainted with the petitioner on a social networking site. Petitioner is a BSF personnel. He cohabited with her. He had also threatened to upload her obscene pictures on the internet. However, no electronic evidence with regard to obscene pictures is placed on record. Under such circumstances, we are of the

opinion custodial interrogation for progress of investigation is not necessary but petitioner requires to co-operate with investigation in accordance with law.

5. 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date and on further conditions that he shall hand-over mobile phone owned by him or in his control for forensic analysis and report to the investigating officer once in a week until further orders.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)