

31.01.2024
(D/L 21)
Ct. No.1
(Allowed)
(SKB)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M.(A) 85 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Banarhat P. S. Case No.378 of 2022 dated 26.12.2022 under Section 506/509 of the Indian Penal Code read with Sections 66E/67/67A of the Information and Technology Act (G.R. Case No.7106 of 2022).

In the matter of : Hamidul Islam @ Sharuk Khan
... Petitioner

Mr. Partha Pratim Sarkar,
Mr. sudip Guha,
Mr. Sandip Guha Roy
... for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy
... for the State

1. Heard learned Counsel for the parties.
2. Learned counsel for the State opposes the prayer for anticipatory bail.
3. On perusal of the entire materials as placed before us, we find that it is the version of the informant as well as the other witnesses that taking advantage of close relationship between the present petitioner and the victim, the present petitioner has uploaded some obscene photographs in social media. Admittedly, there are some incriminating materials as against the present petitioner.
4. Investigation is stated to have been completed in the meantime.

5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, his tender age and possibility of reform in him, nature of offence and completion of investigation, it is directed that the petitioner shall surrender before the learned CJM, Jalpaiguri in the G.R. Case No.7106 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail by the aforesaid court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The applications being CRM(A) 85 of 2024 is disposed of.
8. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)