

21.05.2025
SL.05
Ct.No.28
NB
(Allowed)

CRM (A) 1678 of 2025

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 in connection with Purulia Cyber Crime P.S. Case No.07/2025 dated 06.05.2025 under Sections 356(2)/353(1)/319(2) of the BNS read with Section 67A of Information Technology Act, 2000 pending before the learned Chief Judicial Magistrate, Purulia.

And

In the matter of : Subhadip Paramanik

.... petitioner

Mr. Pawan Gupta,
Ms. Sanjukta Samanta,
Mr. Rommit Dutta,
Mr. Amit Pati,
Ms. Anindita Roy.

...for the petitioner.

Mr. Saryati Datta,
Mr. Asraf Mandal.

...for the State.

Learned counsel appearing on behalf of the petitioner submits that after a contempt Rule was issued by this Court against a police officer, the petitioner who is a member of the Bar made a post in the social media referring to the same. This led to the registration of an FIR against him. No prima facie case is made out. This is a complete abuse of the process of Court.

Learned counsel appearing on behalf of the State refers to another post and points to the distasteful language used by the petitioner. The person against whom the comment was made was not the person against whom the Rule was issued.

It appears that the thrust in the FIR is on defamation. But, for sustaining an allegation of defamation, a complaint case needs to be filed.

It is for the Court sitting with appropriate determination to decide whether prima facie case is at all made out.

Considering the nature of allegations made in the First Information Report as discussed above, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2003.

The application for anticipatory bail being **CRM(A) 1678 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)