

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

17.07.2019

Court No.01
Item No. 15
CHC/gc

CRM 355 of 2019

(Disposed of)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 24.04.2019 in connection with Falakata Police Station Case No.67/2008 dated 08.02.2008 under Sections 363/366(A)/417/376 of the I.P.C.

And

In the matter of: Sri Samit Das @ Biju Das

.....Petitioner

Mr. Sandeep Dutta, Advocate

....For the Petitioner

Mr. Ujjwal Luksom, Advocate

.....For the State

Learned advocate for the petitioner seeking anticipatory bail submits that the petitioner is willing to surrender before the learned court below.

Learned Additional Public Prosecutor is present with C.D.

When the petitioner is willing to surrender before the learned court below, we are of the considered view that the prayer for anticipatory bail application should be disposed of without entering into the merits of this case with a direction upon the learned court below to accept the surrender of the petitioner and decide the prayer for bail in accordance with the provisions of law giving sufficient opportunities to both the parties to this case.

With this observation/direction, the criminal miscellaneous case C.R.M.355 of 2019 stands disposed of.

(Subhasis Dasgupta, J.)

(Soumen Sen, J.)

