

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

27.08.2019.
26.
as
(Allowed).

C.R.M. 687 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.08.2019 in connection with Haldibari P. S. Case No.130 of 2019 dated 04.07.2019 under Sections 447/376/511 of the Indian Penal Code.

In the matter of : Akbar Ali Pramanik.

... Petitioner.

Mr. Sudip Guha.

...for the Petitioner.

Mr. Saikat Chatterjee,
Mr. Sanjiv Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case due to village rivalry.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner trespassed into the house of the victim and attempted to ravish her.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner, we are of the

opinion though custodial interrogation of the petitioner is not necessary but the movement of the petitioner requires to be restricted in order to instill confidence in the mind of the victim and other witnesses.

Accordingly, we direct that in the event of arrest the petitioner viz., Akbar Ali Paramanik 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall not enter the jurisdiction of Haldibari Police Station until further orders except for the purposes of investigation and attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders and on further condition that the petitioner shall appear before the court below and pray for regular bail within a fortnight from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)

