

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

28.08.2019.
27.
as
(Allowed).

C.R.M. 730 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 20.08.2019 in connection with Alipurduar P. S. Case No.260 of 2019 dated 23.06.2019 under Sections 341/325/379/506 of the Indian Penal Code.

In the matter of : Manoj Barman @ Manoj Roy.
... Petitioner.

Mr. D. Roy.
...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that there is delay in lodging first information report and the petitioner has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail.

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 relating to false

implication, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner viz., Manoj Barman @ Manoj Roy 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 condition that the petitioner shall appear before the trial court and pray for regular bail within four weeks from date.

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

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)