

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

28.08.2019
tkm/ct 28
sl no. 47

C.R.M. 795 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 27.8.2019 in connection with Darjeeling P.S case no. 96 of 2019 dated 11.5.2019 under sections 506/34 of the IPC read with section 125 of the Representation of People Act

And

Allowed

In Re : Dipendra Niraula petitioner

Mr. A. Bhandari
Mr. U. Lama
Mr. P. Rai

..... for the petitioner

Mr. A. S. Chakraborty
Mr. S. Ganguly

..... for the State

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

Learned lawyer for the state opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and bearing in mind the nature of allegations, we are of the opinion that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that 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, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 795 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)