

8.11.2019
SI No.39
KB/GSD

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM 959 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 5.11.2019 in connection with Jalpaiguri Kotwali Station Case No. 558 of 2019 dated 02.09.2019 under Sections 399/402 of the Indian Penal Code.

And

In Re: Amit Mandal

... .. Petitioner

Ms.Suman Shenabis

... for the petitioner.

Mr. A. S. Chakraborty

Mr. T. Bhattacharjee

... .. for the State.

Learned counsel appearing on behalf of the petitioner submits that three co-accused were arrested from the spot with an iron rod and a knife. The name of the present petitioner transpired from the statement of a co-accused. A similarly circumstanced co-accused was granted anticipatory bail by the Learned Sessions Court.

Learned Counsel appearing on behalf of the State submits that the petitioner and the other co-accused, except for the ones arrested, had fled away from the spot and the arrested accused took the names of those co-accused in front of public witness.

Considering the materials on record and the fact that the only material available against the present petitioner seems to be the statement of co-accused, we are inclined to grant anticipatory

bail to the petitioner. However, considering the nature of allegations, we think that the movement of the present petitioner needs to be restricted.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the submission of the report in final form and on further condition that the petitioner shall not enter into the jurisdiction of Jalpaiguri Kotwali Police Station until further orders except for meeting the Investigating Officer or for attending the Court and on further condition that the petitioner shall appear before the Court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail being CRM 959 of 2019 is, thus, disposed of.

Certified website copies of this order if applied for, be immediately made available to the parties, subject to compliance with all requisite formalities.

(Jay Sengupta, J.)

(Subrata Talukdar, J.)