

15.11.19

Sl. No.17
Ct. No.1

pk
[ALLOWED]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 987 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.11.2019 in connection with Kumargram Police Station Case No. 172 of 2019 dated 26.10.2019 under Sections 341/325/307/379/34 of the Indian Penal Code.

And

In Re: ***Amit Roy @ Kalicharan Roy***

... .. Petitioner

Mr. Hillol Saha Podder

.. Advocate

... .. for the petitioner

Mr. Nilay Chakraborty,

Mr. Biswarup Roy .. Advocate

... .. for the State

Learned counsel for the petitioner submits that out of previous grudge regarding payment of dues to the mother of the petitioner, a false case was instituted. The F. I. R. was lodged after about three months from the alleged date of occurrence.

Learned counsel appearing on behalf of the State opposes the prayer for bail and relies on the copy of an injury report available in the case diary.

Considering the nature of allegations, the possibility of previous grudge being there against the petitioner's side and the delay in lodging the F. I. R., we are inclined to grant anticipatory bail to the petitioner.

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 twice in a week till the submission of the report in final form 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 987 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.)