

09.12.19

**Rpan/31
Ct. No.1
[ALLOWED]**

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 1052 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.11.2019 in connection with NJP Police Station Case No. 798 of 2019 dated 02.09.2019 under Sections 406/420/468/471/506/34 of the Indian Penal Code;

And

In Re: ***Amena Khatun & Others***

... Petitioners

Mr. Debasish Saha,
Mr. Bijoy Bikram Das

... for the Petitioners.

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

... for the State.

Apprehending arrest in connection with NJP Police Station Case No. 798 of 2019 dated 02.09.2019 under Sections 406/420/468/471/506/34 of the Indian Penal Code, the petitioners have preferred the present application for anticipatory bail.

Mr. Saha, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in the criminal case. The dispute between the de facto complainant and the petitioners herein is purely civil in nature. A notice under Section 41A of the Code of Criminal Procedure has been issued to the petitioner no.1 herein and she has complied with the same. This Court has also granted anticipatory bail to a co-accused on 13th November, 2019.

Heard the learned advocate appearing for the State.

Upon considering the materials in the case diary, the nature of the dispute and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners in this case is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the said Code and on further condition that they shall meet the Investigating Officer as and when required for the purpose of investigation until further order, until further orders.

The personal appearance of the Investigating Officer is dispensed with.

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

(Rajarshi Bharadwaj, J.)

(Tapabrata Chakraborty, J.)