

10.12.19

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Ct. No.1

[ALLOWED]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 1079 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 2th November, 2019 in connection with Rajganj Police Station Case No. 228 of 2016 dated 11.08.2016 under Sections 448/325/306 of the Indian Penal Code;

And

In Re: **Sri Bikash Roy**

... Petitioner

Mr. Kalipada Das

... for the Petitioner.

Mr. Abhijit Sarkar,

Mr. A. K. Sarkar

... for the State.

Apprehending arrest in connection with Rajganj Police Station Case No. 228 of 2016 dated 11.08.2016 under Sections 448/325/306 of the Indian Penal Code, the petitioner has preferred the present application for anticipatory bail.

Mr. Das, learned advocate appearing for the petitioners submits that the petitioner has been falsely implicated in the present criminal proceedings. He further submits that upon completion of investigation, charge-sheet has also been filed on 31st August, 2017.

The petitioner's prayer for anticipatory bail has been opposed by the learned advocate appearing for the State.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, the gravity of offence alleged and as charge-sheet has already been filed, we are

of the opinion that custodial interrogation of the petitioner in this case is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner, namely ***Sri Bikash Roy***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with two sureties of like amount 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 Code of Criminal Procedure, 1973 and on further condition that he shall meet the Officer-in-Charge of the Rajganj Police Station as and when required till the trial is complete.

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

(Rajarshi Bharadwaj, J.)

(Tapabrata Chakraborty, J.)