

24.01.20
Sl. No.19
ns
Ct. No.1

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 87 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 20.01.2020 in connection with Matigara Police Station Case No.544 of 2018 dated 10.10.2018 under Sections 420/406 of the Indian Penal Code.

And

In Re: ***Md. Sarib.***

... .. Applicant

Mr. Arup Ratan Chakraborty for applicant.

Mr. Ujjal Luksom,
Mr. Tapan Bhattacharjee for State.

Mr. Chakraborty, learned advocate appears on behalf of applicant for anticipatory bail in connection with Matigara Police Station Case no.544 of 2018 dated 10.10.2018 under sections 420/406 of Indian Penal Code. He submits, his client has been falsely implicated in this case. His client had not taken money, not having title to the land, which defacto complainant has alleged, his client promised to sell. His client's application for anticipatory bail was rejected by Sessions Judge on 22nd November, 2018. He is working as a cook in Border Security Force. He should be granted anticipatory bail. Mr. Luksom, learned advocate appears on behalf of State and hands up case diary drawing attention to pages 7 and 52 respectively being receipt issued by applicant and statement made under section 161 by applicant's sister.

Having considered submissions and materials, we are inclined to grant anticipatory bail.

Applicant, in event of arrest, shall be released on anticipatory bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only)

with two sureties of 5,000/- (Rupees Five Thousand), one of whom must be local, having landed property, to the satisfaction of the Arresting Officer and shall be subject to the condition, as in section 438(2) of the Code of Criminal Procedure and on further condition that applicants shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

Criminal miscellaneous application, C. R. M. 87 of 2020, is disposed of.

(Arindam Sinha, J.)

(Biswajit Basu, J.)