

DI. October
17. 7, 2021

C.R.M. 3688 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on April 30, 2021 in connection with Taherpur Police Station Case No. 14 of 2021 dated January 22, 2021 under Sections 448/323/376/511 of the Indian Penal Code;

And

In the matter of : Tapan Das ...petitioner.

Versus

State of West Bengal ...opposite party.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha,
...for the petitioner.

Ms. Zareen N. Khan,
Mr. Mirza Fifoj Ahmed Begg,
...for the State.

We have heard the learned advocates appearing for the parties and perused the case diary.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the instant case.

The learned lawyer appearing on behalf of the State opposes the prayer for anticipatory bail and draws our attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Having considered the materials in the case diary and bearing in mind the extent of complicity of the petitioner in the commission of alleged offence, as revealed from the case diary, and having regard to the fact that charge sheet has already been submitted in the instant case, we are of the opinion that although custodial interrogation of the petitioner is not necessary in the facts of the case, but his movement requires to be restricted through some stringent conditions.

Accordingly, we direct that in the event of arrest of the petitioner, namely, **Tapan Das**, he shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) only with two sureties of like amount to the satisfaction of the arresting officer, subject to the conditions as laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure and on further condition that he shall not enter the territorial jurisdiction of Taherpur Police Station except for meeting the investigating officer as and when necessary and for attending the court proceedings until further orders and shall provide the address to the officer in-charge of the police station where he would be residing in terms of this order and to the investigating agency and that he shall meet the officer in-charge of the police station, where he would be residing, once in a month.

The application for anticipatory bail is, thus, **allowed**.

dns (**Rabindranath Samanta, J.)**

(**Soumen Sen, J.)**