

25.11.2021
Court No.32
rpan / **161**

C.R.M. 7365 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Rajib Lochan Guchhait**

- Petitioner

Mr. Shibaji Kumar Das,

Ms. Rupsa Sreemani

....For the Petitioner.

Mr. Madhusudan Sur,

Mr. Dipankar Paramanick

....For the State.

Apprehending arrest in connection with Egra Police Station Case No. 155 of 2021 dated 28.02.2021 under Sections 341/323/325/307/427/34 of the Indian Penal Code, 1860, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioner submits that there was a political rivalry between the parties and the petitioner has been falsely implicated. Co-accused persons, similarly situated, have already been granted anticipatory bail by the learned Sessions Judge and in view thereof, custodial interrogation is not necessary. However, the petitioner shall cooperate with the investigation.

Mr. Sur, learned Additional Public Prosecutor appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary. He submits that investigation is still continuing.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the extent of complicity of the petitioner in the alleged offence and since

co-accused persons, similarly situated, have already been granted anticipatory bail, we are of the opinion that custodial interrogation is not warranted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Rajib Lochan Guchhait**, shall be released on bail upon furnishing a bond of ₹10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner will cooperate with investigation and meet with the Investigating Officer as and when called for.

It is further directed that the petitioner shall attend the learned Trial Court on all the dates, as specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Trial Court shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM No. 7365 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)