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16.03.2021.  
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**Calcutta High Court  
In The Circuit Bench at Jalpaiguri  
Criminal Miscellaneous Jurisdiction  
Appellate Side**

**CRM 305 of 2021**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973 filed on 01.03.2021 in connection with arising out of GR Case No.4199 of 2020 New Jalpaiguri Police Station Case No.1181 of 2020 dated 24.09.2020 under Sections 302/34 of the Indian Penal Code, 1860 and Charge Sheet No.01 of 2021 dated 09.01.2021, for alleged offence punishable under Sections 306/34 of the Indian Penal Code.

And

In Re : Tarak Sarkar

... petitioner.

Mr. Kallol Ghosh,  
Mr. Sampad Das

... for the petitioner.

Mr. Ujjwal Luksom,  
Mr. Aniruddha Biswas

... for the State.

At the outset, learned counsel for the State opposes the prayer for anticipatory bail.

Upon hearing learned counsel for the parties, it appears that prima facie there is no satisfactory evidence on record to incriminate the petitioner with regard to the charges clamped against him.

Hence, the prayer for anticipatory bail is granted on condition that the petitioner shall not leave the jurisdiction of the court which has jurisdiction to take up the trial in the event of commencement of the same.

Further, the petitioner shall not make any inducement, threat or promise to any person acquainted with the facts of the present case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence. The petitioner, if apprehended, shall be discharged on bail on furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer, and subject to further conditions as may be imposed by the trial court taking up the matter.

Accordingly, CRM 305 of 2021 is allowed.

**(Sabyasachi Bhattacharyya, J.)**

**(Kausik Chanda, J.)**