

22.09.2021
Court No.01
Item No. 38
Allowed
Krishnendu

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRM 440 of 2021
(Via Video Conference)**

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

And

In Re : **Debojit Rakshit alias Jit**

Petitioner

Mr. Debarshi Dhar

For the Petitioner

Mr. Niloy Chakraborty

Mr. Sagik Sankar Sikdar

For the State

Apprehending arrest in connection with Dinhata Police Station

Case No. 486 of 2020 dated 17.12.2020 under sections

341/323/324/307/354/34 of the Indian Penal Code, the petitioner has

filed the present application.

The learned advocate appearing for the petitioner submits that
the petitioner has been falsely implicated. No overt act has been
attributed to the petitioner. Accused persons, similarly situated, have
already been granted anticipatory bail by the learned Court below.

Upon completion of investigation, charge sheet has also been

submitted and as such custodial interrogation of the petitioner is not necessary.

Mr. Chakraborty, learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the medical report.

We have heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, it appears that no specific role has been attributed to the petitioner. Considering the nature of accusations, the extent of complicity of the petitioner and the fact that upon completion of investigation charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we allow this application and direct that in the event of arrest, the petitioner, namely, **Debojit Rakshit alias Jit** , shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, 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 .

The application for anticipatory bail, being C.R.M. No. 440 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.

(Abhijit Gangopadhyay, J)

(Tapabrata Chakraborty, J)