

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

23.09.2021
Court No.01
Item No.28
Avijit Mitra

CRM 579 of 2021

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

And

In Re: Chandan Laskar

...Petitioner

Mr. Subhasish Misra

...For the Petitioner

Mr. Kallol Acharjee,
Mr. Aniruddha Biswas

...For the State

Apprehending arrest in connection with Mathabhanga Police Station Case No.84 of 2021 dated 15.02.2021 under sections 341/354/379 of the Indian Penal Code, the present application has been preferred.

Mr. Misra, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The *defacto complainant* is a married lady and it thus cannot be ruled out that she was totally unaware of the consequences of the alleged relationship. In view thereof, custodial interrogation of the petitioner is not warranted.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that there are incriminating materials on record against the petitioner and investigation is yet to be completed.

Having heard the learned advocates for the parties and considering the materials in the case diary, the nature of

accusations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not warranted.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Chandan Laskar** shall be released on anticipatory 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with further condition that the petitioner shall not enter the jurisdiction of the Mathabhanga Police Station, save and except for meeting with the investigating officer of the case once a week on and from 29th September, 2021 until further orders.

The petitioner shall also intimate the address where he would be residing to the investigating officer of this case immediately.

The application for bail, being CRM 579 of 2021, is 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.)