

21.05.2021
(Circuit Bench
at Jalpaiguri)
SL No.1
Court No.28
(gc)

CRM 584 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with New Jalpaiguri Police Station Case No.171 of 2021 dated 24.02.2021 under Section 493/376 of the Indian Penal Code.

And

In the matter of : **Sri Gour Debnath @ Raja Debnath**
- Petitioner

Mr. D.C. Kabir,
Ms. Madhushri Dutta,
... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
Mr. Narayan Prasad Agarwala,
Mr. Protick Bose,
... For the State.

Considering the materials made available on record and having regard to the fact that a civil suit is pending against the complainant in which an interim order has been passed and also having regard to the statement of the complainant recorded under Section 164 of the Code of Criminal Procedure and bearing in mind the nature and extent of involvement of the petitioner in the commission of alleged offence, we are of the opinion that custodial interrogation of the petitioner is not required. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sri Gour Debnath @ Raja Debnath**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is also directed that the petitioner shall meet the Investigating Officer of the case once in a week until further orders and shall cooperate with the investigation.

The application for anticipatory bail, being CRM No.584 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)