

07. 11.08.2021

Ct.32

Tanmoy

Allowed

**In The High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

(Through Video Conference)

C.R.M. 777 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **27/07/2021** in connection with **Siliguri Police Station Case No. 744 of 2021** dated **08/07/2021** under Sections **341/325/379/506/34** of the Indian Penal Code.

And

In the matter of: - **Tarak Saha**

....petitioner.

Ms. Jeenia Rudra

...for the petitioner (through V.C.)

Mr. Arun Shankar Chakraborty,
Ms. Namrata Das

...for the State (through V.C.)

The allegation is that when the *de facto* complainant, who is a photographer, was taking photographs in a market area, the petitioner assaulted him and took away one gold chain and a sum of Rs.6,000/- from him.

Learned Counsel for the State opposes the prayer for anticipatory bail.

We have considered the material in the Case Diary including the injury report. The injury appears to be simple.

Having considered the facts and circumstances of the case and the nature and gravity of the allegation, although,

charge-sheet is yet to be submitted, we are of the view that immediate custodial interrogation of the petitioner is not necessary so long as the petitioner co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The prayer for anticipatory bail is, thus, **allowed.**

The application being C.R.M. 777 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)