

2.
04-08-2021
(ct. no.32)
KOLE
Allowed

In the Circuit Bench At Jalpaiguri
(Via Video Conference)
CRM 797 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Maynaguri Police Station** Case No. **319 of 2021** dated **17.06.2021** under Sections **143/447/325/307/354/379/427** of the Indian Penal Code.

- A n d -

In the matter of : Anup Roy @ Prakash Roy & Ors.
.... Petitioners.

Mr. Madhushri Dutta,
... For the Petitioners.

Mr. Nilay Chakraborty,
... For the State.

The petitioners have been charged under various sections of the Indian Penal Code. Essentially the allegation is that the petitioners damaged the house of the defacto complainant and stole certain articles from there. The petitioners also say that the allegations are a fall out of a dispute between the families of the petitioners and the defacto complainant.

We are told that six of the co-accused persons have been granted bail by the learned Court below.

Having considered the material on record and the nature and gravity of the charge as well as the degree of complicity of the petitioners in the commission of the alleged offence, we are of the view that immediate custodial

interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each, 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 until further orders.

The application of anticipatory bail being CRM 797 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)