

13.12.2021  
Court No.01  
Item No. 22  
Allowed  
sg

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

**CRM 928 of 2021  
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 27 of 2021 dated 14.02.2021 under Sections 323/354/506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

And

In Re : **Nurjamal Kaji**

Petitioners

Mr. Hillor Saha Podder

For the Petitioner

Mr. Arun Kumar Sarkar  
Mr. Sagnik Sankar Sikdar

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case. It is further submitted that the principal accused was taken custody and subsequently granted bail.

The learned Counsel for the State opposes the prayer for anticipatory bail.

Considering the materials available in the case diary and the nature and extent of the involvement of the petitioner in the commission of alleged offence and having regard to fact that the principal accused has been granted bail, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, namely, Nurjamal Kaji, 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. This order shall remain valid for six weeks from this date, within which time the petitioner shall surrender and obtain regular bail from the learned Trial Court and the learned Trial Court shall decide the application without being influenced by the observations made by us in this order.

The application for anticipatory bail, being C.R.M. No. 928 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.

**(Biswajit Basu, J.)**

**(Soumen Sen, J.)**