

13.12.2021
Court No.01
Item No. 23
Allowed
sg

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

**CRM 929 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghohksadanga Police Station Case No. 160 of 2021 dated 15.05.2021 under Sections 417/376(2)(n)/120B of the Indian Penal Code

And

In Re : **Harish Chandra Barman**

Petitioner

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 the father of the principal accused and he has been falsely implicated in the instant case. It is further submitted that the principal accused was arrested 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 charge-sheet has already been filed and the principal accused has been granted regular bail, we are of the opinion that the custodial interrogation of the present petitioner is not required.

Accordingly, we direct that in the event of arrest the petitioner, namely, Harish Chandra Barman, 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.

The application for anticipatory bail, being C.R.M. No. 929 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.)