

30.11.2021

Item No.21

Ct.No.1

dc./gsd

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

C.R.M. 966 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 Falakata PS Case No. 444 of 2021 dated 29.8.2021 under Sections 341/326/307/379/506 of the Indian Penal Code.

And

In the matter of : **Subhas Roy**

... Petitioner.

Mr. Arnab Saha

... for the petitioner

Mr. Niloy Chakraborty

Mr. S. S. Sikdar

... For the State.

The learned advocate for the petitioner submits that the petitioner is a businessman and he has been falsely implicated in this case. Learned Advocate further submits that there are cases and counter cases between the parties.

Learned Advocate for the State produces the case diary and draws the attention of this Court to the Injury Report.

We have perused the statement of the witnesses as also the injury report and we are of the view that the custodial detention of the petitioner is unwarranted in the facts and circumstances of the case.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely **Subhas Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 and on further condition that the petitioner shall meet with the Investigating Officer of the case once a week until further orders.

The application for anticipatory bail, being CRM 966 of 2021 is disposed of.

All parties shall act on the server copy of this order, duly obtained from the official website of the Hon'ble High Court Calcutta.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)