

13.12.2021  
SL No.43  
Court No.1  
(SK)

***Circuit Bench of Calcutta High Court  
At Jalpaiguri***

**CRM 1019 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 Matigara Police Station Case No.820 of 2021 dated 05.08.2021 under Sections 447/325/427/379/384/387/506/34 of the Indian Penal Code, 1860.

And

In the matter of : **Jiblal Singh**

- Petitioner.

Mr. Sourav Chatterjee,  
Ms. Arpita Saha

... For the Petitioner.

Mr. Kallol Acharjee,  
Mr. Biswarup Roy

... For the State.

The learned Counsel for the petitioner submits that the petitioner is a reputed businessman and he has been falsely implicated.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that recovery has been made from the place of occurrence. However, as the petitioner is absconding the investigation could not be completed.

Considering the material available on record and having regard to the fact that no notice under Section 41A was attempted to serve upon the petitioner, we are of the view that the petitioner

is entitled to anticipatory bail at this stage. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, **Jiblal Singh**, 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 on condition that the petitioner shall not leave the jurisdiction of Matigara Police Station without the express leave of the Investigating Officer and the petitioner shall meet the Investigating Officer, once in a week till the charge-sheet is filed. and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No.1019 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.)**