

14.12.2021
Court No.01
Item No. 45
Allowed
sg

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

**CRM 1106 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tufanganj Police Station Case No. 453 of 2021 dated 20.07.2021 under Sections 448/376/511/506 of the Indian Penal Code.

And

In Re: **Newton Das @ Pacha**

Petitioner

Mr. Hillol Saha Podder

For the Petitioner

Mr. Abhijit Sarkar

Mr. Sourav Ganguly

For the State

The learned Counsel for the petitioner submits that there is a love relationship between the petitioner and the victim who happens to be a married lady and it is also submitted that the petitioner has been falsely implicated in the instant case.

The learned Counsel for the State opposes the prayer for anticipatory bail and has relied upon the statement of the victim under Section 164 of the Code of Criminal Procedure.

Considering the materials available in the case diary and having regard to the nature and extent of involvement of the petitioner of the commission of the alleged offence, we are of the view that the custodial interrogation of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner, namely, Newton Das @ Pacha, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall meet the investigating officer once in a week until further orders.

The prayer for anticipatory bail is allowed and CRM 1106 of 2021 is accordingly, 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)