

14.12.2021
Court No.01
Item No. 46
Allowed
sg

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

**CRM 1109 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No. 231 of 2021 dated 07.05.2021 under Sections 143/341/323/325/307/427/353 of the Indian Penal Code.

And

In Re: **Dhanonjoy Debnath**

Petitioner

Mr. Pratip Kumar Chatterjee

For the Petitioner

Mr. Nilay Chakraborty

Mr. Tapan Bhattacharjee

For the State

The learned Counsel for the petitioner submits that in view of the political rivalry, the petitioner has been falsely implicated. No over act has been attributed to the petitioner, who is a cricket player. It is further submitted that there is no likelihood that the petitioner would flee from justice. In the said conspectus, the petitioner may be granted anticipatory bail on any stringent condition.

The learned Counsel for the State opposes the prayer for anticipatory bail and refers to the statements of some of the witnesses and the injury report.

Having considered the materials available in the case diary and in view of the fact that there is no likelihood that the petitioner would flee from justice and also considering the nature of allegations and the extent of complicity of the petitioner in the commission of alleged offense, we are of the opinion that the custodial interrogation of the petitioner is not required and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Dhanonjoy Debnath**, 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 a week until further orders.

The prayer for anticipatory bail is allowed and CRM 1109 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)