

20.12.2021
SL No.30
Court No.1
(gc)

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

**CRM 1115 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 Dinhata Police Station Case No.101 of 2020 dated 07.11.2020 under Sections 448/376/506 of the Indian Penal Code.

And

In the matter of : **Bappi Khandakar**

- Petitioner.

Mr. Arijit Ghosh

... For the Petitioner.

Mr. Ujjwal Luksom,

Mr. Saikat Chatterjee

... For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Having considered the materials available in the case diary and more particularly the medical examination report and also keeping in mind the nature and extent of complicity of the petitioner in the commission of alleged offence, we are of the opinion that the custodial interrogation of the petitioner is not necessary. Hence, we are inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is, thus, allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Bappi Khandakar**, 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 and with a further condition that the petitioner shall meet the I.O. once in a week and shall cooperate with the investigation.

The application for anticipatory bail, being CRM No.1115 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.)