

17.12.2021
Court No.01
Item No. 27

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

sg

**CRM 1150 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Falakata Police Station Case No. 375 of 2020 dated 23.11.2020 under Sections 363/365/34 of the Indian Penal Code.

And

In Re: **Bishal Gope**

Petitioner

Mr. Hillol Saha Podder

For the Petitioner

Mr. Abhijit Sarkar

Ms. Namrata Das

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and is in love relationship with the victim.

The learned Counsel for the State produces the case diary and opposes the prayer for anticipatory bail.

Considering the materials available on record and more particularly the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and also having considered the nature and extent of involvement of the petitioner in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioner is not necessary and the petitioner may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Bishal Gope**, 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 also subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall meet the IO once in a week until further orders.

The prayer for anticipatory bail is allowed and CRM 1150 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)