

23.12.2021
SL No.12
Court No.1
(gc)

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

**CRM 1158 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 Sitalkuchi Police Station Case No.316 of 2021 dated 30.07.2021 under Sections 448/451/376/109/506 of the Indian Penal Code.

And

In the matter of : **Mriganka Barman**

- Petitioner.

Mr. Hillol Saha Podder,
... For the Petitioner.

Mr. A. Sakar,
Mr. S. Chatterjee,
... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated by his neighbours who are having dispute with the father of the petitioner.

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 statement of the victim recorded under Section 164 of the Cr.P.C., we are of the view that the custodial interrogation of the petitioner is not required. Hence, we are inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Mriganka Barman**, 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. twice in a month until further orders.

The application for anticipatory bail, being CRM No.1158 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.)