

23.12.2021
Court No.01
Item No. 14

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

sg

**CRM 1196 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghoshkadanga Police Station Case No. 413 of 2021 dated 08.11.2021 under Sections 498(A)/376(2)(f)(n)/506/109 of the Indian Penal Code.

And

In Re: **Khoka Barman**

Petitioner

Mr. Hillol Saha Podder

For the Petitioner

Mr. Abhijit Sarkar
Mr. Tapan Bhattacharjee

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and he is the father-in-law of the victim. It is further submitted that his younger son is presently in custody.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that the victim in her statement recorded under Section 164 of the Code of Criminal Procedure has implicated the petitioner amongst others.

Having considered the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the fact that the principal accused is in custody and the charge-sheet has already been filed, we feel that custodial interrogation of the petitioner is not required.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Khoka 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and the petitioner shall attend before the learned Trial Court on each and every date fixed for hearing.

The application for anticipatory bail of the petitioner is allowed. CRM 1196 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)