

24.12.2021
SL No.10
Court No.1
AJ/SM

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

**CRM 1277 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.374 of 2021 dated 10.09.2021 under Sections 448/376 of the Indian Penal Code, 1860.

And

In the matter of : **Dhanat Barman @ Dhanat Chandra Barman.**
... .petitioner.

Mr. Subhasish Misra.
... For the Petitioner.

Mr. Saikat Chatterjee,
Mr. Sagnik Shankar Sikdar.
... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and a dispute has arisen during the lockdown period due to non-payment of the essentials supplied by the petitioner to the de-facto complainant and his family.

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

Having considered the materials available in the case diary and bearing in mind 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 required.

As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, **Dhanat Barman @ Dhanat Chandra Barman** shall be released on anticipatory 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 on further condition that the petitioner shall not enter the jurisdiction of the concerned Police Station except for the purpose of meeting the Investigating Officer and attending the Court proceeding as and when required until further orders and shall meet the Investigating Officer once in a week.

The application for anticipatory bail, being CRM No.1277 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.)