

29.09.2022.
04.
as
(Allowed).

C.R.M. (A) 4599 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Barasat P. S. Case No.574 of 2022 dated 24.08.2022 under Sections 341/323/325/354/506/34 of the Indian Penal Code and adding Section 326 of the Indian Penal Code..

In the matter of : Sri Ananda Chandra Roy.
... Petitioner.

Ms. R. Roy,
Mr. A. Adhikari.
...for the Petitioners.

Mrs. S. Das.
.....for the State.

Mr. K. K. Basu,
Mr. J. Ul Firdous.
...for the de-facto complainant.

Petitioner submits there is dispute between the parties and he has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

Learned Advocate for the de-facto complainant submits petitioner is threatening witnesses.

We have considered the materials on record. Keeping in mind the nature of allegation in the backdrop of the submission there is enmity between the parties, we are of the opinion custodial interrogation may not be necessary but movement of the petitioner requires to be restricted to instill

confidence in the mind of the de-facto complainant and other witnesses.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, 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 appear before the trial court and pray for regular bail within a period of four weeks from date and on further condition that the petitioner while on bail shall not enter the jurisdiction of Barasat Police Station except for the purposes of investigation and/or attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

