

07.02.2022

Serial no.1

Aloke

Ct. No. 29

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
(Through Video Conference)**

CRM (A) 70 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.01.2022 in connection with Matigara Police Station Case No. 1450 of 2021 dated 27.12.2021 under Sections 365/375 of the Indian Penal Code.

-And-

In the matter of : **Dipen Barman**

... ..Petitioner

Mr. Hillol Saha Podder, Advocate

... .. For the Petitioner

Mr. Aditi Sankar Chakraborty, Advocate

Mr. Tapan Bhattacharjee, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Considering the fact that the de facto complainant refused to undergo medical test and considering the statement recorded under Section 164 of the Code of Criminal Procedure of the de facto complainant, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 70 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)