

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

04.05.2022

Item no.18
Court No.01
Avijit Mitra

CRM (A) 205 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Gopal Tirkey @ Gopal Tirkey Oraon & anr.

.... petitioners

Mr. Nabankur Paul

....for the petitioners

Mr. Kallol Acharjee,

Ms. Namrata Das

..... for the State

Apprehending arrest in connection with Matigara Police Station Case No.248 of 2022 dated 18.02.2022 under Sections 406/420/506/34 of the Indian Penal Code, the present application has been preferred.

Heard the learned advocates appearing for the respective parties.

Having considered the materials in the case diary and bearing in mind the nature of allegations in the light of the submissions advanced by the parties and as *prima facie* it appears that the dispute has a civil profile, we are of the opinion that custodial interrogation of the petitioners is not necessary in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioners namely, **Gopal Tirkey @ Gopal Tirkey Oraon and**

Baganu Tirkey @ Baganu Tirkey Oraon, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 with a further condition that the petitioners shall meet the Investigating Officer once a fortnight until further orders and shall appear before the learned Court below on all the dates as specified for hearing.

It is further directed that the petitioners shall not tamper with the evidence or intimidate the witnesses.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail CRM (A) 205 of 2022 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)

