

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

**05.05.2022**  
Court No.01  
rpan/ 09

**CRM (A) 219 of 2022**

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

And

**In Re: Bablu Kujur**

- Petitioner

Mr. Joydeep Kanta Bhowmik

...for the Petitioner

Mr. Kallol Acharjee,

Mr. Tapan Bhattacharjee

...for the State

Apprehending arrest in connection with Matelli Police Station Case No.38 of 2022 dated 02.02.2022 under Sections 341/324/325/326/307/506 of the Indian Penal Code, the present application has been preferred.

Mr. Bhowmik, learned advocate appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in the alleged offence. Co-accused person similarly situated with the petitioner had already been enlarged on bail by the learned court below. Upon completion of investigation charge-sheet has also been submitted and as such, custodial interrogation may not be necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that there are incriminating materials on record against the petitioner.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary,

the nature of allegations, the manner in which the offence has taken place and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner may not necessary in the facts and circumstances of the case, more so when, upon completion of investigation charge-sheet has been submitted.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Bablu Kujur** 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner shall appear before the learned Court below on all the dates specified for hearing and shall not intimidate the witnesses and/or tamper with the evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the aforesaid directions, without justifiable cause, the learned trial court shall be at liberty to cancel the petitioner's bail, without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 219 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.)**

