

14.07.2022.

Item No. 13

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*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 347 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 08.07.2022 in connection with Kumargram Police Station Case No. 92 of 2022 dated 07.03.2022 under Sections 354/354B/376/511 and 506 of the Indian Penal Code.

And

In the matter of: **Bijan Bhowmick @ Bijan Kumar Bhowmick.**

...petitioner

Mr. Arijit Ghosh,

Ms. Swarnali Ghosh (Sengupta). ...For the petitioner

Mr. Tapan Bhattacharjee,

Mr. Biswarup Roy.For the State

Anticipatory bail is sought on the ground that there is a long standing property dispute between the complainant and the petitioner.

It is submitted that the complaint and the First Information Report are the counterblast to the lawful claims of the petitioner.

Going through the case diary, we find that the statements under Section 164 of the Code of Criminal Procedure of the petitioner have not been recorded till date.

Having considered the materials in the case diary and bearing in mind the role attributed to the petitioner in the alleged crime and in view of the gamut of the facts and

circumstances of the case, this Court is inclined to allow anticipatory bail to the petitioner.

It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.15,000/- on condition that the order shall remain valid for a period of two weeks within which the petitioner shall surrender before the court concerned for regular bail.

It is further directed that the petitioner shall meet with the Investigating Officer of the case once in a week or as and when required until further orders.

This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The Case Diary be returned.

C.R.M. (A) No. 347 of 2022 is, thus, disposed of.

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

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)