

06.12.2022

Item no.48

Court No.1

SS

***CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri***

C.R.M.(A) 619 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Kumargram Police Station Case No.119 of 2021 dated 23.06.2021 under Sections 406/409/420/34 of the I.P.C.

And

In Re : Tapu Das & ors.

.... Petitioners

Mr. Sourav Ganguly

Mr. Kallol Nag

....for the petitioners

Mr. Ujjwal Luksom

Mr. Saikat Chatterjee

..... for the State

Ms. Esha Acjarua

Mr. Alok Sah

... for the de facto complainant

Apprehending arrest in connection with Kumargram Police Station Case No.119 of 2021 dated 23.06.2021 under Sections 406/409/420/34 of the I.P.C., the present application is preferred praying for anticipatory bail.

Heard learned lawyer for the petitioners as well as the learned Public Prosecutor.

We have perused the case diary and heard the rival submissions.

Learned Counsel appearing on behalf of the State candidly admitted that payment has been made.

Considering the facts and circumstances and upon perusal of the case diary, we are inclined to grant anticipatory bail to the present petitioners upon furnishing a bond of Rs.10,000/- 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 further condition that the petitioners shall cooperate with the investigation and shall not tamper any evidence or influence the witnesses in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned Trial Court would be at liberty to cancel the petitioners' anticipatory bail without any further reference to this Court.

The application for anticipatory bail being C.R.M.(A) 619 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.

(Sugato Majumdar, J.)

(Shekhar B. Saraf, J.)