

05.12.2022

Item no.83

Court No.1

SS

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

C.R.M.(A) 665 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bagdogra Police Station Case No.402 of 2022 dated 15.08.2022 under Sections 341, 323, 325, 379, 506 and 34 of Indian Penal Code.

And

In Re : Sri Shyamal Singha @ Puratu & ors.
.... Petitioners

Mr. Sandip Mandal

Mr. Abhilash Mittal

....for the petitioners

Mr. Abhijit Sarkar

Mr. Tapan Bhattacharjee

..... for the State

Apprehending arrest in connection with Bagdogra Police Station Case No.402 of 2022 dated 15.08.2022 under Sections 341, 323, 325, 379, 506 and 34 of Indian Penal Code, 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.

Investigation is still pending but considering the materials in the case diary, we are of the opinion that custodial detention of the present petitioners is not necessary.

Accordingly, we allow 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 meet the Investigating Officer once in a week and shall cooperate with the investigation and that during trial they shall not leave the jurisdiction of the Bagdogra police station without the permission of the Investigating Officer 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) 665 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.)