

AD-258
Ct No.01
Jalpaiguri
03.02.2023
TN

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 21 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **03.01.2023** in connection with **Falakata** Police Station Case No. **633** of **2022** dated **27.11.2022** under Sections **448/376/506/34 IPC, 1860**, corresponding to **GR** Case No. **2639 of 2022**.

And

In the matter of: **Dhruba Barman @ Dhruba Kumar Barman**

.... petitioner

Mr. Sabir Ahmed,
Mr. Hillol Saha Podder,
Ms. Mousumi Das,
Mr. Debjit Kundu

... for the petitioner

Mr. Ujjwal Luksom,
Ms. Namrata Das

... for the State

On perusal of the materials in the case diary, support is found to have been given to the prosecution case, especially in the form of the victim's statement recorded under Section 164 of the Code of Criminal Procedure. However, excepting the same, there is no other clinching material available therein for which the petitioner's anticipatory bail prayer may be rejected at this time.

Accordingly, we opine that the petitioner's prayer should be granted.

Accordingly, CRM (A) 21 of 2023 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Alipurduar. The petitioner shall not leave the territorial jurisdiction of the concerned police station during the period of investigation and shall meet the Investigating Officer once a month during the entire period of investigation.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)