

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri**

28.02.2023.  
44.  
as  
(Allowed).

**C.R.M. (A) 152 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Haldibari P. S. Case No.314 of 2022 dated 17.11.2022 under Sections 447/427/379/34 of the Indian Penal Code.

In the matter of : Rinku Das.

... Petitioner.

Mr. Hillol Saha Podder,  
Ms. Mousumi Das.

...for the Petitioner.

Mr. Ujjwal Luksom,  
Mr. Saikat Chatterjee.

.....for the State.

It is submitted on behalf of the petitioner that he has been falsely implicated. He prays for anticipatory bail.

Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioner has co-operated with the investigation of the case.

We have considered the materials on record. Nature of accusation involves theft of building materials. Petitioner has co-operated with investigation.

Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner viz., Rinku Das shall be released on bail upon

furnishing a bond of Rs.10,000/- with two sureties of like amount each, 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 and on further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**