

03.05.2023  
KC (53)

IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(A) 193 of 2023

In the Matter of : Saidul Islam and Ors.

.... petitioners.

Ms. Druti Roy.....For the petitioners.

Mr. A.S. Chakraborty, Ld. A.P.P.....For the State.

This is an application for grant of anticipatory bail filed under Section 438 of the Code of Criminal Procedure, 1973 in connection with Rajganj Police Station Case No. 15 of 2023 dated 13<sup>th</sup> January, 2023 under Sections 406/419/420 of the Indian Penal Code.

Considering the fact that the allegation of the de-facto complainant against the petitioners is of obtaining a sum of Rs. 11,000/- as loan and advance by practising fraud and that the complaint was lodged on 13<sup>th</sup> January, 2023 and till now no coercive action has been taken by the police, we do not think that this is a fit case for custodial interrogation.

We allow this application for anticipatory bail on the following terms and conditions:

We direct that in the event of arrest the petitioners shall be released on bail on furnishing security of Rs.

10,000/- (Rupees Ten Thousand) each with personal release bond of equivalent value to the satisfaction of the arresting officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

We impose further conditions that:

- (a) The petitioners shall immediately deposit their passports, if they possess one, with the investigating officer.
- (b) They shall appear before the investigating officer for interrogation as and when summoned.
- (c) They shall not leave the limits of the district Jalpaiguri without informing the investigating officer.
- (d) They shall not tamper with evidence or interfere with the witnesses in any manner.
- (e) The petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail CRM(A) 193 of 2023 is disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)

