

08.05.2023
SSS (21)

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

C.R.M.(A) 207 of 2023

In the Matter of : Indra Mallick @ Indrajit Mallick and Anr.

.... Petitioners.

Mr. Kallol Acharjee,
Mr. Chattu Roy.....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 Bhaktinagar Police Station Case No. 103 of 2023 dated 13th February, 2023 under Sections 450/325/324/307/427/380/506/34 of the Indian Penal Code.

The alleged offence is not major. The injuries arose out of an altercation in a hotel cum bar on 13th February, 2023.

The principal accused was arrested and has been released on bail by the learned court below.

The petitioner is a co-accused.

Since the incident took place on 13th February, 2023, the injuries complained of are minor and the principal accused is released on bail, we do not think that custodial interrogation of the petitioner is necessary.

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

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 of the details of their whereabouts.
- (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) 207 of
2023 is disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)