

03.05.2023
KC (12)

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

C.R.M.(A) 215 of 2023

In the Matter of : Majibar Rahaman @ Mojibar Rahaman
and Ors.
.... petitioners.

Ms. Madhushri Dutta.....For the petitioners.

Mr. Abhijit Sarkar
Mr. Aniruddha Biswas.....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 Mekhliganj Police Station Case No. 328 of 2022 dated 3rd October, 2022 under Sections 143/188/448/379/506 of the Indian Penal Code read with Section 3 of the P.D.P.P. Act, corresponding to G.R. Case No. 706 of 2022, pending before the learned Additional Chief Judicial Magistrate, Mekhliganj, Coochbehar.

The accusation is of cow theft in or about 3rd October, 2022.

At this point of time, we do not think that there is any need for custodial interrogation.

In such circumstances, 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 each 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) They 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 Cooch Behar 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) 215 of 2023 is disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)

