

09.06.2023
SL No.57
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 313 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Pradhan Nagar Police Station Case No.643 of 2022, dated 19.08.2022 under Sections 447/323/306/34 of the Indian Penal Code.

And

In the matter of : **Rose Mahato (Banik) & Ors.**

- Petitioners.

Mr. Sudip Guha

... For the Petitioners.

Mr. Saikat Chatterjee,

Mr. Chattu Roy

... For the State.

The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Having considered the medical report, the involvement of the petitioners in the commission of the alleged offence and that the charge-sheet has already been filed, we are of the view that the custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the accused/petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also 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 No.3 shall meet the Investigating Officer once in a week till the regular bail is granted and shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.

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

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)