

06.07.2023
Item no.49.
Court No.01.
S.De
(Allowed)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (A) No. 459 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No.377 of 2023 Dated 26.05.2023 under Sections 306 of the Indian Penal Code.

And

In the matter of: Subhankar Biswas.

.....Petitioner.

Mr. Shubhankar Dutta,
Mr. Subrata Pattadar,for the Petitioner.

Mr. Kallol Acharjee,
Ms. Sukanya Adhikary,for the State.

Heard learned counsel for the petitioner and learned advocate for the State at length.

We do not find any material at least prima facie at this stage to attract the provision of 107 of I.P.C. as against the present accused petitioner.

Such being the position, we are inclined to allow the prayer for anticipatory bail.

Accordingly, in the event of arrest, the petitioner, namely, **Subhankar Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, to the satisfaction of the Arresting Officer and shall abide by the conditions laid down in Section 438(2) of the

Code of Criminal Procedure until further orders and on further condition that the petitioner shall not leave the territorial jurisdiction of the learned Trial Court till submission of Final Form.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M.(A) No. 459 of 2023 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)