

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

17.08.2023
Court No.1
Item. 44
(sg/cm)

CRM(A) 590 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Mathabanga Police Station Case No. 143/2023 dated 18.03.2023 under Sections 420/364A/323/325/307/506/34 of the Indian Penal Code.

And

In the matter of: BIPUL BARMAN @ GANESH BARMAN
.....Petitioner.

Mr. Hillol Saha Poddar

For the Petitioner.

Mr. Ujjwal Luksom
Ms. Namrata Das

For the State.

1. There is no material on record to corroborate the involvement of the petitioner in the alleged offence. We have also not found any document to show any injury suffered by the de-facto complainant.
2. The submission made on behalf of the prosecution that there is eye-witness to the alleged offence involving the petitioner is also not on record.
3. We are hence inclined to grant the prayer for anticipatory bail and hence the custodial interrogation of the petitioner is not required.
4. We accordingly direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of who must be local, to the satisfaction of the Arresting Officer and also

comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation and make himself available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

5. The application for anticipatory bail being CRM(A) 590 of 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)