

23.08.2023
Court No.1
Item.42
(sg/ks)

CRM (A) 602 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Mathabhanga Police Station Case No.143 of 2023 dated 18.03.2023 under Sections 420/ 364A/ 329/ 325/ 307 and 506 of the Indian Penal Code.

And

In the matter of: Mithun Barman @ Mithun BarmonPetitioner.

Mr. Arijit Ghosh
Mrs. Swarnali Ghosh

For the Petitioner.

Mr. Kallol Acharjee
Mr. Chattu Roy

For the State.

1. The records before us show that three of the principal accused have already been granted anticipatory bail – two by a Co-ordinate Bench and one by this Bench.
2. Admittedly, the money trail is from the de facto complainant to the principal accused through the account of the petitioner. The document showing that the petitioner transferred the money to the principal accused is also part of the records. We are, hence of the view that custodial interrogation of the petitioner is not required.
3. The prayer for anticipatory bail is accordingly allowed.

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 petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
5. The application for anticipatory bail being CRM(A) 602 OF 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)