

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

06.09.2023

Court No.01
rpan/ 53

CRM (A) 674 of 2023

In Re:- An application under Section 438 of the Code of Criminal Procedure;

And

In Re: Bulbul Ahamed @ Bulu

- Petitioner

Mr. Jaydeep Kanta Bhowmick,
Mr. Sayantan Bhowmick,
Ms. Rikta Sarkar
...for the Petitioner.

Mr. U. Luksom
Ms. Namrata Das
...for the State

Apprehending arrest in connection with Malbazar Police Station Case No.609 of 2023 dated 30.07.2023 under Sections 376/384/511/505 of the Indian Penal Code, the present application has been preferred.

Pursuant to our earlier order dated 29th August, 2023, Ms. Das, learned advocate appearing for the State has placed before us a report of the Sub-Inspector, attached to Malbazar Police Station, Dist. – Jalpaiguri. Let the same be kept on record.

It appears that the petitioner, complying with our directions, met with the Investigating Officer and handed over his mobile and that the petitioner has cooperated with the Investigating Officer.

Having heard the learned advocates and considering the materials in the case diary, the nature of accusations, the possible extent of complicity of the petitioner in the alleged offence and his conduct, we are of the opinion that his custodial interrogation may not be necessary.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Bulbul Ahamed @ Bulu** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that he shall meet with the Investigating Officer of the case once a week till the investigation is complete.

It is further directed that the petitioner shall not intimidate the witnesses and/or tamper with the evidence in any manner whatsoever.

The application for anticipatory bail, being CRM (A) 674 of 2023, is disposed of.

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

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)