

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

23.08.2023
Court No.1
Item.51
(sg/ks)

CRM(A) 684 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Kotwali Police Station Case No.1303 of 2016 dated 04.12.2016 under Sections 409/420/471/34 of the Indian Penal Code.

And

In the matter of: Subhajit Kundu

.Petitioner.

Mr. Hillol Saha Podder
Mr. Rohit Agarwal
Mr. Abhishek Singh
Ms. J. Chhetri

For the Petitioner.

Mr. Tapan Bhattacharjee
Mr. Subhasis Misra

For the State.

Mr. Sukanta Chakraborty
Ms. Esha Acharya

For the de facto complainant

1. The principal accused was granted anticipatory bail by an order dated 16th August, 2023. The petitioner before us is a Councillor in the Coochbehar Municipality. We note that charge-sheet has already been submitted including a supplementary charge-sheet. We are, therefore, of the view that the custodial interrogation of the petitioner is not required.
2. The de facto complainant is represented.
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) 684 OF 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)