

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

**10.01.2023
Court No.1
(skb 49)**

CRM(A) 557 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Madarihat Police Station Case No. 110 of 2022 dated 05.07.2022 under Sections 3/4/5/6/7 of the Immoral Traffic (Prevention) Act, 1956.

And

In the matter of: **Sudhanshu Kumar Mishra**

. **Petitioner.**

Mr. Sudhindra Das

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Biswarup Roy

... For the State.

The petitioner is the owner of a restaurant and bar in Madarihat, Alipurduar. The charge is under the provisions of The Immoral Traffic (Prevention) Act, 1956. The Manager of the restaurant and the son of the petitioner were arrested and have been enlarged on bail. None of the victims have named the petitioner or claimed any acquaintance with the petitioner.

It appears from the submissions of learned counsel appearing for the petitioner before us that there are certain serious allegations against the Officer-in-Charge, Madarihat Police Station. We expect the State to look into the matter.

The above facts persuade us to allow the prayer for anticipatory bail.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

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) with two sureties each of like amount 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 co-operate 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.

The application for anticipatory bail being CRM(A) 557 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)