

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

**04.01.2023
Court No.1
(SKB 65)**

CRM(A) 684 OF 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Alipurduar Police Station Case No.434 of 2021 dated 27.11.2021 under Sections 341/325/326/307/379/506/34 of the Indian Penal Code.

And

In the matter of: **Rajesh Sha**

.**Petitioner.**

Mr. Sourav Ganguly,
Mr. Alok Sah

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Tapan Bhattacharjee

... For the State.

The petitioner is not named in the FIR and the petitioner's brother, who was named in the FIR, has been enlarged on bail on 20th April, 2022 by the Additional Sessions Judge, Alipurduar. We, hence, see no reason to be of the opinion that the petitioner is required for custodial interrogation.

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 of like amount, 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 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) 684 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)