

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

10.01.2023
Court No.1
(skb 53)

CRM(A) 704 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No. 445 of 2022 dated 10.09.2022 under Sections 447/323/325/354/34 of the Indian Penal Code.

And

In the matter of: **Sushanta Barman**

. **Petitioner.**

Mr. Sudip Guha

... For the Petitioner.

Mr. Arun Kumar Sarkar,
Mr. Abhijit Sarkar,
Mr. Tapan Bhattacharjee

... For the State.

Considering the material before us including the complicity of the petitioner in the alleged offence as also counter case filed by the petitioner in respect of the selfsame offence, we are inclined to grant 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) 704 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)