

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

13.01.2023
Court No.1
(skb 48)

CRM(A) 717 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Bhaktinagar Police Station Case No.476 of 2014 dated 03.04.2014 under Sections 417/493/376 of the India Penal Code.

And

In the matter of: **Shyamal Shaibya**

.**Petitioner.**

Mr. Joydeep Kanta Bhowmik,
Ms. Rikta Sarkar

... For the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly

... For the State.

Upon considering the medical evidence and the fact that the victim was above 18 years of age on the date of the alleged offence, we are inclined to grant the prayer for anticipatory bail.

Learned counsel appearing for the State objects 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 to comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall join the investigation and shall not interfere with any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM(A) 717 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)