

19.10.2023
PB, 1.

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 879 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Maynaguri P.S. Case No.334 of 2023 dated 29.08.2023 under Sections 186/353/323/325/333/427/34 of the IPC.

And

In the matter of: Hamidul Rahman @ Islam

.... petitioner

Mr. Arjun Chowdhury

.....for petitioner.

Mr. Tapan Bhattacharya,

Mr. B. Roy.

.....for the State.

Mr. N. Chakraborty,

Ms. S. Adhikary.

.....for the respondent.

Heard learned advocates appearing for the parties.

The petitioner submits that there is no specific allegation against the present accused person and there is no requirement of custodial interrogation of the present petitioner and the benefit under Section 438 of the Cr.P.C. can be given to the petitioner.

Learned advocate for the State respondent is opposing the prayer for bail of the petitioner.

Heard the parties and perused the case diary and other materials on record.

In the event of arrest, the petitioner may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount one of whom must be local, to the satisfaction of the learned CJM, Jalpaiguri. The petitioner shall meet the investigation officer once in a month until further order of this Court and shall also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

With this observation and direction, the application being CRM(A) 879 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)