

AD-209
Ct No.01
Jalpaiguri
31.01.2023
TN

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

CRM (A) 737 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 06.12.2022 in connection with Kharibari Police Station Case No. 211 of 2022 dated 18.06.2022 under Sections 468/471 IPC (corresponding to G.R. Case No. 2779 of 2022).

And

In the matter of: Dipankar Sarkar

.... petitioner

Mr. Arijit Ghosh,
Mrs. Swarnali Ghosh (Sengupta)

... for the petitioner

Mr. Ujjwal Luksom,
Ms. Namrata Das

... for the State

Leave is granted to the learned Advocate-on-record for the petitioner to amend the cause title of the present application during the course of the day.

Heard learned counsel for the parties.

The State opposes the prayer for anticipatory bail.

The brief background is that allegedly the petitioner committed a forgery by issuing a false birth certificate to the alleged victim.

It is submitted by learned counsel for the petitioner that the petitioner is a student and did not commit the forgery. In view of a mistake having occurred in the birth certificate issued to the alleged victim, the allegation of forgery has been levelled.

We find from the materials on record that there is sufficient scope of granting anticipatory bail to the petitioner.

Accordingly, CRM (A) 737 of 2022 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The petitioner shall not leave the territorial jurisdiction of the concerned police station during investigation and shall meet the Investigating Officer once a fortnight during the period of investigation.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)