

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

**06.01.2023
Court No.1
(SKB S/L 1)**

CRM(A) 769 OF 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Samuktala Police Station Case No.324 of 2022 dated 08.12.2022 under Sections 406/409 of the Indian Penal Code.

And

In the matter of: **Vaibhav Sinha**

.**Petitioner.**

Mr. Bikash Singha,
Mr. Surojit Saha

... For the Petitioner.

Mr. Nilay Chakraborty,
Mr. Arjun Chowdhury

... For the State.

The petitioner was given a limited protection by an order dated 22nd December, 2022 passed by a coordinate Bench subject to the petitioner depositing a sum of Rs.11,65,848/- by way of Pay Order with the appropriate authority. The order noted the willingness of the petitioner to deposit the amount to the Regional Provident Fund Commissioner, Jalpaiguri.

Learned counsel appearing for the petitioner hands up a document indicating that an amount of Rs.11,65,848/- was deposited by way of Demand Draft on 27th December, 2022 with the Regional Provident Fund Commissioner, Jalpaiguri. The document is kept on record.

Since the petitioner has fulfilled the condition imposed by the order dated 22nd December, 2022, we see no reason to reject the application for anticipatory bail.

The interim protection granted to the petitioner is confirmed and made absolute.

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 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) 769 of 2022 is allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)