

13.06.2024
SL No.5
Court No.29
(gc)
(Allowed)

CRM (A) 1839 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Gurap Police Station Case No.210 of 2023 dated 18.10.2023 under Sections 392 and 411 of the Indian Penal Code.

And

In the matter of : **Indrajit Kirtaniya**

- Petitioner.

Mr. Abhijit Kumar Adhya

....For the Petitioner.

Mr. Soumik Ganguly,

Mrs. Manashi Roy

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.
2. The learned Counsel for the State submits that the name of the petitioner transpired from the statement of co-accused persons and since he was absconding, warrant of arrest has been issued in favour of the petitioner.
3. Considering the materials available in the case diary, the nature and complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the charge-sheet has already been filed and some of the co-accused persons are enlarged on bail, we are of the view that the custodial interrogation of the petitioner is not necessary.
1. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Indrajit Kirtaniya**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of

the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioner shall appear before the learned Trial Court within two weeks from date and shall attend the Trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

2. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
3. Accordingly, the application for anticipatory bail is disposed of.
4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)