

19.02.2024  
Item No.66  
Ct. No. 29  
**CHC**  
Allowed

**C.R.M.(A) 5304 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **1128** of **2023** dated **24.10.2023** under Sections **341/323/325/307** of the Indian Penal Code.

And

In the matter of : Kalyan Debnath @ Kutu

..... petitioner

Mr. Amanul Islam,  
Mr. Arup Sarkar,  
Ms. Sabnam Laskar  
....for the petitioner

Mr. Prasun Kumar Datta, Ld. A.P.P.  
Ms. Jonaki Saha  
....for the State

Mr. Sourav Mukherjee  
....for the de facto complainant

Petitioner prays for anticipatory bail.

De facto complainant recorded a statement under Section 164 of the Criminal Procedure Code subsequent to the order dated 31<sup>st</sup> January, 2024.

New statement apparently is one of exoneration of the petitioner.

Consequently, we grant anticipatory bail to the petitioner.

Accordingly, we 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 only), with two sureties of like amount each, to the satisfaction of the arresting officer and

also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner will report before the Investigating Officer once in a fortnight till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5304 of 2023 is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**