

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

**07.03.2024**

Court No.1  
Item.112  
(Srimanta)

**CRM(A) 62 of 2024**

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Ghoksadanga Police Station Case No. 376/2023 dated 23.07.2023 under Sections 341/302/34 of the Indian Penal Code corresponding to GR Case No. 937/2023.

And

In the matter of: **Basana Mandal.**

. . .Petitioner.

Ms. Suman Sehanabis,  
Mr. Salok Sah

... For the petitioner.

Mr. Abhijit Sarkar,  
Mr. Subhasish Misra

...For the State.

1. The principal accused, one Haradhan Mandal, was granted bail by the learned Additional Chief Judicial Magistrate, Mathabhanga on 8<sup>th</sup> November, 2023. Another co-accused, one Maynarani Mandal was also granted bail by the same Court on the same day. The petitioner before us is one of the 4 accused persons mentioned in the charge-sheet and is a neighbor of the other co-accused persons.

2. Since the petitioner is on the same footing with the two other accused who have already been enlarged on bail, we are of the view that the prayer for anticipatory bail should be allowed.
3. Hence, we are of the view that custodial interrogation of the petitioner, the charge-sheeted accused no. 3, is not necessary.
4. 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 only), with two sureties of like amount each, one of who must be local, 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 cooperate with the investigation and make herself available for questioning to the Investigating Officer whenever the petitioner is required to do so. The petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
5. The application for anticipatory bail being CRM (A) 62 of 2024 is allowed and disposed of in terms of the above.

**(PRASENJIT BISWAS,J.)**

**(MOUSHUMI BHATTACHARYA,J.)**