

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

05.03.2024
Court No.1
Item.158
(kc)

CRM(A) 143 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973.

And

In the matter of: BAPPA RAY @ ROY

.Petitioner.

Mr. Sourav Ganguly, Adv.
Ms. Rishita Chakraborty, Adv.
Mr. Gopal Roy, Adv.
Ms. Deblina Ray, Adv.

..... For the Petitioner

Mr. Tapan Bhattacharjee, Adv.
Mr. Chottu Ray, Adv.

.....For the State

1. It is submitted on behalf of the petitioner that he is absolutely innocent and has been falsely entangled with the offence alleged. It is further submitted by the learned counsel that there is no specific allegation against this accused petitioner and accordingly, he may be granted anticipatory bail.
2. Learned public prosecutor vehemently opposes the prayer for anticipatory bail filed by the accused petitioner and submits that there are sufficient incriminating materials against this accused petitioner and as such, his prayer for anticipatory bail may be rejected.

3. We have considered the submissions advanced by both the parties and also perused the materials gathered in the case diary and placed before us at the time of hearing.
4. We are of the view that there is no necessity of custodial interrogation in respect of this accused petitioner and accordingly, his prayer for anticipatory bail should be allowed.
5. Accordingly, the application filed by the petitioner, viz., Bappa Ray @ Roy, is hereby allowed and in the event of arrest he shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, subject to the satisfaction of the Arresting Authority. The petitioner is further directed to comply with the provision of Section 438(2) of the Cr.P.C. The petitioner shall not induce witnesses or influence them or tamper with the evidence. The petitioner shall also make himself available for the trial as and when the petitioner is required and shall also not leave the jurisdiction of the concerned police station without leave of the concerned authorities.
6. Thus, CRM(A)/143/2024 is hereby allowed and disposed of.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)