

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

11.03.2024

Court No.1
Item.110
(Srimanta)

CRM(A) 158 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Dinhata Police Station Case No. 564/2023 dated 04.10.2023 under Sections 365/34 of the Indian Penal Code, 1860.

And

In the matter of: **Kushal Barman.**

. . .Petitioner.

Mr. Ratan Chandra Roy

... For the petitioner.

Mr. Ujjal Luksom,
Ms. Namrata Das

...For the State.

1. Considering the fact that both the persons who were allegedly abducted by the petitioner subsequently worked free and are now in their parents' home and the further fact that three of the co-accused were released on anticipatory bail by the learned Vacation Judge, Cooch Behar on 31st October, 2023, we are inclined to allow the prayer for anticipatory bail. Custodian interrogation of the petitioner is not required.
2. 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 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.

3. The application for anticipatory bail being CRM (A) 158 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)