

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

15.03.2024

Court No.1

Item.76

(kc)

CRM(A) 173 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with **NEW JALPAIGURI** Police Station Case No.**1162/2023** dated **29.12.2023** under Sections **420/506/34** of the Indian Penal Code.

And

In the matter of: **Debtanu Panda & Ors.**

. . .Petitioners.

Mr. S. Dey
Ms. Jui Jana
Mr. Saroj Banerjee

... For the petitioners.

Mr. Ujjwal Luksom
Mr. Tapan Bhattacharjee

...For the State.

Considering the nature of the allegations levelled against the petitioners, namely, that the petitioners supplied inferior material to the concerned hospital at Siliguri, we do not find custodial interrogation of the petitioners to be necessary in the facts of the present case. The petitioners are, accordingly, granted anticipatory bail.

We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners shall cooperate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM (A) 173 OF 2024 is allowed and disposed of in terms of the above.

We also record that the petitioners have complied with the notice under Section 41(A) of the Cr. P.C. pursuant to the opportunity given to them by the order dated 12th March, 2024. The compliance was on the very next date, i.e., 14th March, 2024. The report of the SI, NJP, P.S. dated 15th March, 2024 is placed before us and is taken as part of the records.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)