

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

04.04.2024
Court No.01
rpan/ 06

CRM (A) 203 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re: Anita Rani Chhetri @ Chhetri

- Petitioner

Ms. Rima Sarkar,
Ms. Sidhi Sethia
Ms. Suparna Paul
...for the Petitioner.

Mr. Ujjwal Luksom
Mr. Kallol Nag
...for the State.

Leave granted to the learned advocate-on-record to correct the cause title.

Apprehending arrest in connection with Naxalbari Police Station Case No.286 of 2023 dated 30.12.2023 under Sections 420/467/468/471/472/473/474/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. A complaint was lodged by one Asraf Anasari against the present petitioner on 10th May 2023 which was registered as Naxalbari Police Station Case no.101 of 2023 under Sections 420/460 of the Indian Penal Code. In the said proceeding the petitioner had already been enlarged on bail. Subsequent thereto, another complaint was lodged on 13th December, 2023 against the present petitioner by one Smt. Rajkumari Oraon and in the proceeding initiated in connection with

the same, she had also been enlarged on bail. Thereafter, again another complaint was lodged by one, Shri Monoranjan Mandal on 3rd December, 2023 on the basis of which the present case has been registered. The allegations contained in the present proceedings are similar to the allegations as levelled against the petitioner in the earlier two proceedings. The petitioner is a lady member of the family and there is no possibility that she would flee from justice. In the said conspectus, her custodial interrogation may not be necessary.

Mr. Luksom, learned advocate appearing for the State, however, opposes the petitioner's prayer and submits that investigation is still continuing and there are incriminating materials on record against her.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, the nature of allegations and the fact that in the earlier two proceedings, involving similar allegations, the petitioner had already been enlarged on bail, we are of the opinion that her custodial interrogation may not be necessary, moreso when there is no reasonable apprehension that she would flee from justice.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Anita Rani Chhetri @ Chettri** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with

further conditions she shall cooperate with the investigation and shall not do any act prejudicial to such investigation. She shall also attend the learned trial court on all the dates as fixed for hearing.

It is further directed that the petitioner shall not influence the witnesses and/or tamper with the evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with any of the aforesaid directions, without justifiable cause, the learned Court below shall be at liberty to cancel her bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 203 of 2024, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswaroop Chowdhury, J.)

(Tapabrata Chakraborty, J.)