

25.04.2024
Court No.01
Item No. 08
Allowed

KC

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

CRM (A) 253 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with **Kalimpong** Police Station Case No. **181** of **2017** dated **07.07.2017** under Sections 436/34 of the Indian Penal Code, 1860 read with Section 3 of the PDPP Act and Section 15(a)/15(b) of the West Bengal Maintenance of Public Order Act, 2017.

And

In Re: **Manip Chettri**

Petitioner

Mr. Janardan Periwal
Mr. Rajesh Kumar Sharma
Mr. B. Sharma

For the Petitioners

Mr. Niloy Chakraborty
Mr. Kallol Nag

For the State

1. It is submitted on behalf of the petitioner that, considering the fact that investigation has already been completed and also considering the fact that another charge-sheeted co-accused person Ajit Roka has been enlarged on anticipatory bail on 12th March, 2024 in CRM (A) 167 of 2024 by a Coordinate Bench of this Hon'ble Court, the instant application for anticipatory bail on behalf of the petitioner may be considered favourably on the ground of parity.
2. Learned counsel for the State opposes the prayer for anticipatory bail.
3. Admittedly, the investigation has already been completed and the present accused petitioner is similarly circumstanced with the accused Ajit Roka, who was enlarged on anticipatory bail in the meantime.

4. In view of such, we are inclined to grant anticipatory bail to the present accused petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner viz. **Manip Chettri** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, and the petitioner shall appear before the **learned Chief Judicial Magistrate, Kalimpong** in connection with G.R. Case No. 222 of 2017 on each and every date of hearing. It is further directed that the present accused petitioner shall appear before the learned Trial Court within a fortnight from the date of passing of this order.
7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. **CRM (A) 253 of 2024** is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Partha Sarathi Sen, J)