

24.04.2024
Court No.01
Item No. 19
Allowed

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

ar

CRM (A) 337 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 262 of 2022 dated 30.04.2022 under Sections 409/419/420/468/471/201/120B of the Indian Penal Code.

And

In Re: **Subhash Routh & Ors.**

Petitioners

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Rikta Sarkar
Ms. Sayabtani Das

For the Petitioners

Mr. Abhijit Sarkar
Mr. Dhiman Sil

For the State

1. Mr. Jaydeep Kanta Bhowmik, learned advocate appearing for the petitioners submits before this court that the present accused persons may be enlarged on anticipatory bail keeping in mind that investigation has already been completed and the other co-accused persons have been enlarged on anticipatory bail by different coordinate benches of this Court.
2. While opposing the prayer for anticipatory bail, learned counsel for the State submits that the involvement of the present six accused petitioners have been, prima facie, proved in course of investigation.
3. On perusal of the materials placed before us it reveals that the investigation has already been completed and the other co-accused

persons have been enlarged on bail or anticipatory bail. Therefore, custodial interrogation of the present petitioners are not necessary.

4. In view of such, we are inclined to grant anticipatory bail to the present accused petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners viz. Subhash Routh, Radhika Routh, Rabi Routh, Sanju Routh, Abhijit Routh and Amit Routh shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each to the satisfaction of the learned Additional Sessions Judge, 2nd Court, Jalpaiguri in connection with Special Case Case No. 12 of 2022. It is further ordered that the present accused petitioners shall appear before the trial court within a fortnight from today and shall remain present before the learned Trial Court on each date of substantive hearing subject to the provisions of Section 317 Cr.P.C and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence and/or create pressure or inducement and/or threat the witnesses in any manner whatsoever in course of the trial.

6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

7. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

8. CRM (A) 337 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)

