

24.04.2024
Court No.01
Item No. 26
Allowed

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

ar

CRM (A) 344 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mirik Police Station Case No. 11 of 2024 dated 03.03.2024 under Section 379 of the Indian Penal Code.

And

In Re: **Imran Ali**

Petitioner

Mr. Arnab Saha

For the Petitioner

Mr. Kallol Acharjee

Mr. Kallol Nag

For the State

1. Heard the learned advocates for the parties.
2. On perusal of the entire materials in the case diary it reveals that admittedly there are some incriminating materials as against the present accused petitioner but in our considered view, those are not sufficient for rejection of the prayer since this is not a fit case for custodial interrogation.
3. In view of such, we are inclined to grant anticipatory bail to the present accused petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall meet the Investigating Officer once in a week till the

final report is filed and shall not leave the territorial jurisdiction of the learned Trial Court except with the permission of the learned Trial Court till submission of the final report.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 344 of 2024 is, thus, disposed of.
7. 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)