

13.08.2024.

Item No. 21

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 523 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 15.07.2024 in connection with Sitai Police Station Case No. 243 of 2023 dated 30.10.2023 under Sections 363/364A/326/307/34 of the Indian Penal Code.

And

In the matter of: **Milan Roy @ Ray.** ...Petitioner

Mr. Subhasish Misra,
Mr. Satyajit Paul. ...For the petitioner

Mr. Ujjwal Luksom,
Ms. Namrata Das.For the State

1. The application for anticipatory bail is canvassed on the ground that the co-accused person has been granted bail by a Co-ordinate Bench of this Court in C.R.M. (A) No. 270 of 2024.

2. It appears from the records that the incident arose out of a civil dispute. The allegation of kidnapping for ransom is, therefore, stated to be a fake complaint.

3. It is further found by a Co-ordinate Bench of this Court that no serious injuries have been found on the victim. Bed-head ticket has been examined by a Co-ordinate Bench of his Court.

4. In that view of the mater, the petitioner shall be entitled to anticipatory bail.

5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local subject to the conditions that the petitioner shall meet the Investigating Officer of the case once in a week and/or as and when called for till the submission of the final report and shall not leave the territorial jurisdiction of Sitai Police Station except for attending the Court proceedings until final report is filed by the Investigating Officer of the case.

6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.

7. The Case Diary be returned.

8. C.R.M. (A) No. 523 of 2024 is, thus, disposed of.

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

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)