

27.11.2024
Item No.55
Court No.1
Cp
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 808 of 2024

In Re: - An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023, in connection with Matigara Police Station Case No.467 of 2024 dated 30th July, 2024 under Sections 329 (4)/118(1)(2)/109(1)/351/(2)/3(5) of the B.N.S, 2023.

And

In the matter of: **Gourav Mondal @ Sourav Mondal**

....Petitioner.

Mr. Hillol Saha Podder

...for the Petitioner.

Mr. Ujjwal Luksom
Ms. Sukanya Adhikary

... for the State.

Learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case. He submits that there is no requirement for custodial interrogation. However, he undertakes to cooperate with the investigating authority.

Learned advocate for the State opposes such prayer for anticipatory bail and produces the CD.

We have heard the learned advocates appearing for the respective parties and have perused the documents in the Case Diary and other materials. Prima facie, it appears that the injury report suggests that the nature of the injury was simple. We are of the view that custodial interrogation of the present petitioner will not serve any purpose.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Gourav Mondal @ Sourav Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, 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, corresponding to Section 482(2) of the B.N.S.S. 2023. The petitioner shall meet the concerned investigating officer once a week under further orders and shall appear before the jurisdictional court on each date of hearing as may be fixed after closure of investigation. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In case the petitioner fails to adhere to any of the conditions stated above, the learned jurisdictional court shall be entitled to cancel the bail without further reference to this court.

The application for anticipatory bail, thus, disposed of.

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

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)