

14.10.2024

Sl. No.1
akd/AP
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 832 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 08.10.2024 in connection with Bhaktinagar Police Station Case No.697 of 2024 dated 01.08.2024 under Sections 420/465/467/468/471/34 of the Indian Penal Code. (G.R. Case No.3799 of 2024)

And

In Re: **Subhas Ghorai @ Subhash Ghorai**

... .. Petitioner

Mr. Sourav Chatterjee
Mr. Abhinav Rakshit

... .. for the petitioner

Mr. Aditi Shankar Chakraborty .. Id. Addl. Public Prosecutor
Mr. Tapan Bhattacharyya

... .. for the State

1. Learned Advocate appearing on behalf of the petitioner submits that the present petitioner namely, Subhas Ghorai @ Subhash Ghorai is on the similar situated in respect of the criminal case so registered as against one Rajen Sharma who has been granted anticipatory bail in CRM (A) 729 of 2024 by a Division Bench of this Hon'ble court.
2. Learned Additional Public Prosecutor, Circuit Bench at Jalpaiguri is present.
3. Having considered the submissions of the learned Additional Public Prosecutor, we are of the opinion that the present petitioner is on the same footing as the other co-accused who has been granted relief under Section 438 of the Code of Criminal Procedure.
4. Accordingly, the petitioner is granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely ***Subhas Ghorai @ Subhash Ghorai***, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall meet the Investigating Officer once in a month till further orders and on condition that the petitioner shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure the presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.

6. The application for anticipatory bail being CRM (A) 832 of 2024 is thus allowed.

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

(Uday Kumar, J.)

(Tirthankar Ghosh, J.)