

02.12.2024
SI No.65
s.biswas
(Allowed)

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

CRM (A) 901 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Bhaktinagar** Police Station Case No. **790/2024** dated **02.09.2024** under Section **108/308(2)/115(2)/3(5)** of the BNSS.

And

In Re: **Jagadish Roy @ Jogo**

... .. Petitioner

Ms. Srishti Sarkar

... for the petitioner

Mr. Aditi Shankar Chakraborty, APP

Mr. Sourav Ganguly

... .. for the State

1. The petitioner prays for grant of anticipatory bail on the ground of parity with some of the co-accused persons who have been extended the benefit of anticipatory bail.
2. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner. Reliance has been placed on the statement of the de facto complainant.
3. Upon hearing the parties and upon perusal of the materials in the case diary and on the ground of parity as the same benefit was already granted to other co-accused persons, we are of the view that custodial interrogation of the petitioner is not necessary and the benefit under Section 482 of the BNSS can be extended to the petitioner to grant anticipatory bail.

4. Accordingly, we direct that in the event of arrest, the petitioner 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 also be 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 BNSS and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)