

04.12..2024
Ct. No. 01
SL No. 49
Cp
Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (A) No. 930 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 Mekhliganj Police Station Case No.331 of 2024, dated 10.09.2024, under Sections 329(3), 118(1), 117(2), 118(2), 109, 303(2), 3(5) of the B.N.S., 2023.

And

In the matter of: **Tapati Das Roy**

....Petitioner.

Mr. Biswarup Roy
Ms. Supriya Debnath

...for the Petitioner.

Mr. Nilay Chakraborty
Mr. Aniruddha Biswas

... for the State.

The petitioner prays for anticipatory bail on the ground that one co-accused is already on bail and another co-accused was granted anticipatory bail. She also submits that she has a small child to look after.

Learned advocate for the State opposes the prayer of the petitioner for anticipatory bail on the ground that the investigation is not complete and custodial interrogation of the petitioner would be necessary.

We have considered the materials on record and also the fact that the petitioner has to look after a child. Furthermore, the incident occurred in presence of direct evidence. We are inclined to grant the prayer of the petitioner for anticipatory bail on the above facts.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions that the petitioner shall not leave the jurisdiction of the Mekhliganj Police Station without permission of the investigating officer concerned and shall cooperate with the investigation. She shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

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 is, 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.)