

24. 10.04.2025
Court
No.1 (Tanmoy)

Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (A) 274 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 / Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Maynaguri Police Station Case No. 212/2024** dated **27/05/2024** under Sections **411/413/414** of the Indian Penal Code, 1860.
And

In the matter of: - **Jahangir Alam**

...petitioner.

Mr. Ranjit Singh
Mr. Ananto Halder

...for the petitioner.

Mr. Abhijit Sarkar
Mr. Biswarup Roy

...for the State.

1. The petitioner says that the charges of being receiver of stolen property and being habitual offender will not lie against him. No stolen article was recovered from him. He has been implicated solely on the basis of statement of a co-accused person made to the Police. He has no criminal antecedent. He says that he will fully co-operate with the Police. He prays for pre-arrest bail.
2. Opposing the prayer for anticipatory bail, learned State Counsel says that he is the main supplier of the stolen goods. However, learned Counsel is unable to show me any further material excepting statement of a co-accused person, which may implicate this petitioner. He, however, says that charge-sheet

has been filed showing the petitioner as absconder and Warrant of Arrest has been issued against him.

3. On an overall assessment of the facts and circumstances of the case and the material on record, I am of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he fully co-operates with the Investigating Officer.
4. Accordingly, in the event of arrest, the petitioner, namely, **Jahangir Alam**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate at Jalpaiguri and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing and shall report to the Investigating Officer of the case, once every fortnight, until further orders. Within seven days from date, the petitioner shall go and meet the Investigating Officer of this case.
5. In case the petitioner fails to adhere to any of the conditions stipulated above, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

6. The application for anticipatory bail being CRM (A) 274 of 2025 is accordingly disposed of.
7. Criminal Section is directed to make available certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)