

Cr.Misc. Case No.572 of 2022  
Regd.No.239 of 2022  
J.O.CODE WB 001243

Order No.02  
Dated : 18.10.2022

This instant application has been filed praying for relaxing the condition attached with the order allowing prayer for anticipatory bail passed by this Ld. Court on 16.08.2022 in connection with Criminal Misc. Case No. 393 of 2022. While allowing the prayer of anticipatory bail this Ld. Court was also pleased to direct the accused persons to appear before the I.O. of Matigara P.S. Case No.844 of 2022 dated 01.08.2022 twice in a week.

It is submitted by the Ld. Counsel Mr. Chanden De that pursuant to such direction the accused duly appeared twice in a week before the investigating officer. It is further submitted that because of his treatment the accused/petitioners has to go outside the State and as such the condition attached with the order dated 16.08.2022 may be waived and /or relaxed.

On the other hand Ld.P.P. submits that he has no objection to such prayer.

Heard the Ld. Counsel for the parties.

Perused the materials on record including the attendance sheet as produced on behalf of the accused persons showing attendance of the accused persons before the investigating officer.

Upon perusal of the document I am of the opinion that further appearance of accused persons may not be necessary. As such the order dated 16.08.2022 is modified to this extent only that henceforth accused persons namely 1) Sri Bijay Kumar Sah and 2) Sri Amar Barman need not to appear before the I.O. any further until and unless the I.O. of the aforesaid police case specifically direct both the accused persons to appear before him. The other portion of the said order shall remain as it was before.

The Criminal Misc. Case is thus disposed of.

Let a copy of this order be sent to the Ld.ACJM, Siliguri and I.O. of this case through O/C Matigara P.S. for information.

Dictated and corrected  
by me,

Sessions Judge, Darjeeling

Sessions Judge,  
Darjeeling.