

26.
13-11-2024
(ct. no.01)
(allowed)
debajyoti

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
APPELLATE SIDE

CRM (A) 816 of 2024

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/482 of the Bhartiya Nagarik Suraksha Sanhita in connection with New Jalpaiguri Police Station Case No.598 of 2024 dated 20-06-2024 under Sections 447/468/471/427/323/325/506 and 34 of the Indian Penal Code.

- A n d -

In the matter of : Dhaneshwar Roy

.... Petitioner.

Mr. Arijit Ghosh,
Ms. Angana Rakshit,
Ms. Rikta Sarkar

... For the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das

... For the State.

Dictated by Arijit Banerjee, J.

1. Pursuant to our earlier order, the Investigating Officer is present in Court with the Case Diary. The personal appearance of the Investigating Officer is dispensed with.

2. The allegations are basically under Sections 323/325 of the Indian Penal Code. The petitioner says that he has been falsely implicated. A co-accused person has been granted

anticipatory bail by this Court. He stands on the same footing as that person.

3. The State, while opposing the prayer, draws our attention to the material in the Case Diary. We find that there is no injury report in the Case Diary. In fact, that was the primary ground on which the other accused person has been granted anticipatory bail.

4. In the facts and circumstances aforestated, we are of the view that immediate custodial interrogation of the petitioner would not be necessary so long as he cooperates with the Investigating Officer.

5. Accordingly, in the event of arrest, the petitioner, namely, **Dhaneshwar Roy**, 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 Arresting Officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that he shall meet the Investigating Officer of this case twice in a week, until further orders. The petitioner shall not leave the jurisdiction of the learned trial Court until further orders and shall not meet the persons acquainted with this case.

6. In the event the petitioner fails to adhere to any of the conditions mentioned above, the learned trial Court shall be entitled to cancel the anticipatory bail without further reference to this Court.

7. The application for anticipatory bail is, thus, **allowed**.

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

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)