

03.05.2023
KC (8)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(A) 201 of 2023

In the Matter of : Akash Barman

.... petitioner.

Mr. Debajit Kundu.....For the petitioner.

Mr. Ujjwal Luksom,
Mr. Tapan Bhattacharjee.....For the State.

This is an application for grant of anticipatory bail filed under Section 438 of the Code of Criminal Procedure, 1973 in connection with Bhaktingar Police Station Case No. 104 of 2023 dated 13th February, 2023 under Sections 406/420 of the Indian Penal Code.

This complaint arises out of a civil dispute between the parties. The de-facto complainant takes photographs and makes video recording of events. He was engaged by the petitioner in connection with a marriage ceremony on 24th January, 2022. The Complaint was made nearly a year thereafter with regard to taking of money by the petitioner and not rendering service.

In such circumstances, we do not think that custodial interrogation is required in this case.

Accordingly, we allow this application for anticipatory bail on the following terms and conditions:

We direct that in the event of arrest the petitioner shall be released on bail on furnishing security of Rs. 10,000/- (Rupees Ten Thousand) with personal release bond of equivalent value to the satisfaction of the arresting officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

We impose further conditions that:

- (a) He shall appear before the investigating officer for interrogation as and when summoned.
- (b) He shall not tamper with evidence or interfere with the witnesses in any manner.
- (c) The petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail CRM(A) 201 of 2023 is disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)

