

40.  
13-07-2023  
(ct. no.01)  
debajyoti  
allowed

**HIGH COURT AT CALCUTTA**  
**Circuit Bench at Jalpaiguri**  
**CRM (A) 521 of 2023**

**In re:** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No.104 of 2023 dated 14-04-2023 under Sections 363/365/109 of the Indian Penal Code.

- A n d -

**In the matter of : Indrajit Barman**

.... Petitioner.

Mr. Hillol Saha Podder,  
Ms. Mousumi Das

... For the Petitioner.

Mr. Tapan Bhattacharjee,  
Mr. Dhiman Sil

... For the State.

Heard learned advocate for the petitioner and learned advocate for the State at length.

We have perused the entire material in the Case Diary, including the written complaint and the statements of witnesses recorded so far. The victim is stated to have been recovered in the meantime.

It appears to us that it is not a fit case for custodial interrogation.

Accordingly, in the event of arrest, the petitioner, namely, **Indrajit Barman**, shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand), with two registered sureties of Rs.2,500/- (Two Thousand and Five

Hundred) each, to the satisfaction of learned Additional Chief Judicial Magistrate, Mathabhanga. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders. It is further ordered that the present petitioner shall appear before the learned trial Court within 21 days from the date of uploading of this order to server.

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.

The application for anticipatory bail being CRM (A) 521 of 2023 is, thus, **allowed**.

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

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

**(Partha Sarathi Sen, J.)**

**(Arijit Banerjee, J.)**