

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

15.07.2019

Court No.01
Item No. 153
CHC/gc

CRM 321 of 2019

(Allowed)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 23.04.2019 in connection with Sitalkuchi Police Station Case No. 197/2018 dated 27th September, 2018 under Sections 143/186/332/353/34 of the I.P.C.

And

In the matter of: Mrinal Kanti Pramanik & ors.

.....Petitioners

Mr. Hillol Saha Poddar, Advocate

....For the Petitioners

Mr. Saikat Chatterjee, Ld.A.P.P.

Ms. Namrata Das, Advocate

.....For the State

It is submitted by the learned advocate for the petitioners that petitioners have been falsely implicated in this case.

It is also submitted by the learned advocate for the petitioners that the principal accused is now on bail.

Learned Additional Public Prosecutor raising objection against the prayer for anticipatory bail submits that Divisional Engineer of State Electricity Board sustained injury in this case, when he has been to the place of occurrence in connection with his official work to disconnect the electricity of the accused persons.

It is, thus, sought to establish that the Station Manager of the concerned State Electricity Board has been resisted by the accused persons, while making disconnection of electricity, as accused persons are using electricity illegally.

Perused the materials already collected in the C.D. together with the medical report of the injured.

Upon consideration of the material already collected in the C.D. and also regard being had to the injury report of the victim, we are inclined to grant petitioners anticipatory bail.

Accordingly, in the event of arrest, petitioner will be granted bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of Rs.5000/- (rupees five thousand) each, to the satisfaction of the arresting officer and also subject to the condition as laid down under Section 438(2) Cr.P.C. and on further condition that petitioners shall ensure their appearance before the learned court below and obtain regular bail within a fortnight from the date of this order.

C.R.M.321 of 2019 is disposed of.

(Subhasis Dasgupta, J.)

(Soumen Sen, J.)