

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

26.08.2019.
24.
as
(Allowed).

C.R.M. 711 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.08.2019 in connection with Alipurduar P. S. Case No.387 of 2016 dated 24.09.2016 under Sections 147/148/149/152/186/427/333/353/326/307/120B of the Indian Penal Code and Sections 3 (i) of the Prevention of Damage to Public Property Act.

In the matter of : Samir Roy @ Sakti Roy @ Sattu Roy
@ Sakti Ghosh.

... Petitioner.

Mr. Arijit Ghosh.

...for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Kallol Acharjee.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that co-accused persons have been granted anticipatory bail and no overt act has been attributed to him in the course of the alleged incident.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations and in view of the fact that as the co-accused persons who are similarly circumstanced

with the petitioner have been granted anticipatory bail, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner viz., Samir Roy @ Sakti Roy @ Sattu Roy @ Sakti Ghosh shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear before the trial court and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)