

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

29.8.2019
30.
as
(Allowed).

C.R.M. 779 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.08.2019 in connection with Dinhata P. S. Case No.222 of 2019 dated 19.05.2019 under Sections 341/448/325/307/34 of the Indian Penal Code.

In the matter of : Hazrat Ali & Ors.

... Petitioners.

Mr. Sudip Guha.

...for the Petitioners.

Mr. Kallol Acharjee,
Mr. Sourav Ganguly.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that there is dispute amongst the family members of the de-facto complainant and the petitioners. It is also submitted that the petitioners have been falsely implicated in the instant case.

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 in the light of the aforesaid submission made on behalf of the petitioners and as the

nature of injuries are to be assessed at the appropriate stage of the proceeding, we are of the opinion that the petitioners may be granted anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners viz., Hazrat Ali, Banbhasha Miah, Hachina Bibi, Rahul Haque and Hasanur Rahaman shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each subject 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 further condition that the petitioners 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.)