

28.01.2020
RP/ct 1
sl no. 31
Allowed

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M. 116 of 2020

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 24.01.2020 in connection with Jaigaon P.S. Case No.277 of 2019 dated 25.12.2019 under sections 448/323/325/379/34 of Indian Penal Code read with sections 25(i)(a)/27 of Arms Act.

And

In Re : Rudra Kumar Mandal applicant

Mr. Hillol Saha Poddar

..... for applicant

Mr. Aditi Shankar Chakraborty

Mr. Sourav Ganguly

.....for State

Mr. Poddar, learned advocate appears on behalf of applicant. He submits, his client apprehends arrest in connection with Jaigaon P.S. Case no.277 of 2019 dated 25.12.2019 under sections 448/323/325/379/34 of Indian Penal Code read with sections 25(i)(a)/27 of Arms Act. He submits, complaint was lodged three days after the incident. Mr. Ganguly, learned advocate appears on behalf of State and hands up the case diary. He submits, statements under section 161 of Code of Criminal Procedure, 1973 have been obtained. He opposes the application.

Considering nature of provisions invoked and delay in lodging complaint, we are inclined to grant anticipatory bail.

Applicant, in event of arrest, shall be released on anticipatory bail by furnishing bond of Rs.20,000/- (Rupees Twenty-Thousand only) with two sureties of like amount each, to the satisfaction of Arresting Officer and shall be subject to the condition, as in section

438(2) of the Code of Criminal Procedure, 1973 and on further condition that applicant shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

The application for anticipatory bail is allowed.

(Arindam Sinha, J.)

(Biswajit Basu, J)