

21.01.20
Sl. No.10
ns
Ct. No.1

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 941 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.10.2019 in connection with Pundibari Police Station Case No.399 of 2019 dated 14.08.2019 under Sections 341/ 326/ 307/ 109 of the Indian Penal Code read with Section 25/27 of the Arms Act.

And

In Re: **Anil Roy.**

... .. Applicant

Mr. Hillol Saha Podder

... .. for applicant

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

... .. for State

Applicant for anticipatory bail is father of principal accused. Mr. Saha, learned advocate appears on his behalf and submits, his client apprehends arrest in connection with Pundibari Police Station Case No.399 of 2019 dated 14.08.2019. His son is principal accused. His son surrendered and was taken into custody, part of which was police custody. Charge sheet has been filed. Allegations were under sections 341/326/307/109 of Indian Penal Code and section 25/27 of Arms Act, 1959. There was recovery. Mr. Acharjee, learned advocate appears on behalf of State and hands up the case diary.

We have perused, inter alia, pages 13 and 7 being statements of complainant (victim's father) and neighbour, under section 164 of Code of Criminal Procedure. We do not find any allegation of absconcion. We are inclined and grant anticipatory bail.

Applicant, in event of arrest, shall be released on anticipatory bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of 5,000/- (Rupees Five Thousand) each, one of whom

must be local, having landed property, to the satisfaction of the Arresting Officer and shall be subject to the condition, as in section 438(2) of the Code of Criminal Procedure and on further condition that applicant shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

Criminal miscellaneous application, C. R. M. 941 of 2019, is disposed of.

(Arindam Sinha, J.)

(Biswajit Basu, J.)