

25.02.2021
Court No.1
SL No. 16
s.biswas

**THE CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Through Video Conference)**

C.R.M. 63 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pradhannagar** P.S. Case No. **758 of 2020** dated 25.11.2020 under Sections **341/504/323/354/506/34** of the Indian Penal Code.

And

In the matter of: **Hidaya Ray @ Hriday Ray & Anr.**

....Petitioners

Ms. Jeenia Rudra
Ms. Madhushri Dutta

...for the Petitioners

Mr. Arun Kr. Sarkar
Mr. Abhijit Sarkar

...for the State

This is an application under Section 438 of the Code of Criminal Procedure filed on behalf of the petitioners who are apprehending of arrest in connection with Pradhannagar Police Station Case NO. 758 of 2020 dated 25.11.2020 for the alleged offence punishable under Sections 341/504/323/354/506/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Siliguri.

The petitioners had filed an application for anticipatory bail under Section 438 of the Cr.P.C. before the learned Sessions Judge, Darjeeling, vide CMC No. 283 of 2020, which stood rejected on 11.12.2020.

It is submitted on behalf of the petitioners that the case is an outcome of landed dispute between the family of the de-facto complainant and the family of the petitioners.

Having heard the learned advocates for the petitioners and the State and in consideration of the nature of offence, the petitioners are allowed to be admitted on anticipatory bail.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.2000/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thus, CRM 63 of 2021 is disposed of.

(Hiranmay Bhattacharyya, J.)

(Shivakant Prasad, J.)