

28.04.2021

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AN/ Ct. No. 1

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

C.R.M. 230 of 2021

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sahebganj Police Station Case No. 537/2020 dated 28.11.2020 under sections 341/323/325/307/34 of the Indian Penal Code, 1860 in connection with G.R. Case No. 638/2020.

And

In the matter of : **Raban Prodhan & Ors.**

... Petitioners

Mr. Subhasish Mishra

Mr. Swarup Das

... for petitioners

Mr. Ujjwal Luksom

... for state.

The petition under section 438 of the Code of Criminal Procedure, 1973 filed at the instance of **Raban Prodhan and Ors.** is taken up for hearing and order.

Petitioners have joined in praying for anticipatory bail. Mr. Mishra, learned advocate appears on their behalf and submits there is land boundary dispute between petitioners, complainant and others. He submits, his clients' prayer be granted. Mr. Luksom, learned advocate appears on behalf of State. He hands up case diary and opposes the prayer.

We have perused the injury reports of two persons. We have also seen the statement under section 161 of the Code of Criminal Procedure. It does appear that there is long standing dispute and

that the injury appears to be result of altercation. We are inclined to grant anticipatory bail to petitioners.

Accordingly, we direct that in event of arrest petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) only each 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, 1973.

The application for anticipatory bail is, accordingly, **allowed**.

CRM 230 of 2021 is disposed of.

(Arindam Sinha, J.)

(Rajarshi Bharadwaj, J.)