

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

20.04.2021
Ct.1
RP 23
Allowed

CRM 269 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No.921 of 2019 dated 16.12.2019 under Sections 341/326/307/34 of the Indian Penal Code.

And

In the matter of : Akram Khan

.... Petitioner

Mr. Jaydeep Kanta Bhowmick

.... For the Petitioner

Mr. Kallol Acharjee

Mr. Tapan Bhattacharjee

.... For the State

It is submitted on behalf of petitioner that he is not named in the FIR and co-accused standing on the same footing has been granted anticipatory bail earlier.

The State produces the case diary and refers to the injury report as well as statement of the victim under Section 164 CrPC and opposes the prayer for anticipatory bail.

It appears that the petitioner is not named in the FIR. The statement of the victim also does not refer to the petitioner as one of his assailants. Material available in the case diary does not justify detention of the petitioner. Also,

co-accused similarly circumstanced with the petitioner has been granted anticipatory bail earlier.

Accordingly, in the event of arrest, the petitioner is directed to be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount to the satisfaction of the Arresting Officer. The petitioner will abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 269 of 2021 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)

