

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

**CRM 358 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kotwali Police Station Case No.275 of 2019 dated 26.05.2019 under Sections 448/325/326/307/34 of the Indian Penal Code.

And

In the matter of: Akesh Munda @ Akash Munda and others

.... Petitioners

Mr. Arnab Saha

... For the Petitioners

Mr. Aditi Shankar Chakraborty,
Mr. Tapan Bhattacharjee.

... For the State

Learned counsel for the petitioners submits that the alleged offence was the result of a political rivalry between the alleged victims and the petitioners. Complaints and counter-complaints were lodged by both sides. The victims have already got the benefit of anticipatory bail.

It is submitted by learned counsel for the State that the injury report of some of the victims indicate that there was grievous hurt.

However, we find that such report was authored by a private hospital. The only report found in the case diary issued by Government hospital indicates simple injury.

Be that as it may, despite the statements of neighbours, prima facie doubt cannot be ruled out in the present case in view of the circumstances as mentioned above.

Accordingly, CRM 358 of 2021 is allowed, thereby granting anticipatory bail to the petitioners subject to the condition that the petitioners shall comply with all the restrictions imposed in Section 438(2) of the Code of Criminal Procedure. The petitioners shall report to the investigating officer once in a week and shall not leave the jurisdiction of the trial court during the entire period of trial. In the event the petitioners are arrested, they will be released on bail upon furnishing individual bonds of Rs.5,000/- each, with one local surety for each of the petitioners to the satisfaction of the arresting officer.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)