

7.
06-08-2021
(ct. no.32)
KOLE
Allowed

In the Circuit Bench At Jalpaiguri
(Via Video Conference)
CRM 730 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tufanganj Police Station** Case No. **251 of 2021** dated **08.05.2021** under Sections **436/307/354/506/34** of the Indian Penal Code read with Sections 3/4 of the Explosive Substance Act.

- A n d -

In the matter of : Biki Sarkar & Ors.

.... Petitioners.

Mr. Tanay Basu,

... For the Petitioners.

Mr. Tapan Bhattacharjee,

... For the State.

The petitioners are 8 out of 27 accused persons. The allegation is that the petitioners attacked the office of a particular political party and hurled bombs.

The petitioners say that this was a clash between two political parties after the declaration of the recent assembly election results.

We have considered the facts and circumstances of the case and considered the memo of evidence. We have also considered statements of persons said to be eye-witnesses recorded under Section 161 of the Code. Admittedly, nobody suffered any injury.

Given the nature of the allegations and the material on record, we are of the view that the prayer for anticipatory

bail of the petitioners may be allowed so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being CRM 730 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)