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

In the Circuit Bench At Jalpaiguri
(Via Video Conference)
CRM 734 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. **222 of 2021** dated **03.05.2021** under Sections **341/325/326/379/34** of the Indian Penal Code.

- A n d -

In the matter of : Asit Das & Ors.

.... Petitioners.

Mr. Hillol Saha Poddar,

... For the Petitioners.

Mr. Nilay Chakraborty,

... For the State.

It is submitted on behalf of the petitioners that the petitioners are innocent and have been falsely implicated due to political rivalry.

No specific overt act has been attributed to any of the petitioners.

The State opposes the prayer for anticipatory bail and submits that injuries were sustained by three victims in the alleged incident. Investigation is in progress.

We have considered the material available before us. The injuries sustained by the victims are not very serious or life threatening.

Having considered the material on record and the facts and circumstances of the case as well as the nature of the allegations, we are inclined to hold that immediate

custodial interrogation of the petitioners may not be necessary 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 734 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.)