

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL APPELLATE JURISDICTION**

30.11.2021
Sl. No. 39
k.b. /b.r.
Crt.1
granted

**CRM 1076 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Matigara P.S. Case No. 1185 of 2021 dated 16.10.2021 under Sections 341/325/379/506/34 of the Indian Penal Code.

And

In the matter of: **Abhijit Ghosh and Another.**

....Petitioners.

Mr. Jaydeep Kanta Bhowmik

...for the Petitioners.

Mr. Ujjwal Luksom
Mr. Tapan Bhattaharjee

.....for the State.

Heard the learned advocates for both the parties.

Learned advocate for the petitioners submits that the dispute is of trivial nature and unnecessary case has been registered.

Additionally, learned advocate submits that the petitioners are innocent and have been falsely implicated in the instant case.

Learned advocate for the State produces the case diary.

We have perused the materials and bearing in mind the nature of allegations, the custodial detention of the petitioners is not necessary in the facts and circumstances of the case and as such the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that the petitioners, namely, **Abhijit Ghosh** and **Amalendu Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall not intimidate the witnesses nor shall tamper with the evidence and on further condition that the petitioner shall cooperate with the investigating officer of the concerned police station as and when needed.

The application for anticipatory bail being CRM 1076 of 2021 is, thus, allowed.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(**Tirthankar Ghosh, J.**)

(**Subrata Talukdar, J.**)