

14.12.2021
Court No.01
Item No. 41
Allowed
sg

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

**CRM 1083 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 518 of 2021 dated 06.10.2021 under Sections 341/323/324/354/307/506/34 of the Indian Penal Code.

And

In Re : **Smt. Pratima Roy & Ors.**

Petitioners

Mr. Arijit Ghosh

For the Petitioners

Mr. Kallol Acharjee

Mr. Ujjwal Luksom

Ms. Namrata Das

For the State

The learned Counsel for the petitioners submits that the petitioners have been falsely implicated in the instance case due to village rivalry.

The learned Counsel for the State opposes the prayer for anticipatory bail and has relied upon the statement of the elder brother of the victim recorded under Section 161 of the Code of Criminal Procedure and submits that the petitioners have been implicated by the elder brother of the victim. However, in all fairness he has submitted that the injury report does not show any life threatening injury.

Having regard to the materials available in the case diary, injury report which does not show life threatening and considering the nature and extent of involvement of the petitioners in the commission of alleged offence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Smt. Pratima Roy, Tumpa Roy and Rumpa Roy**, shall be released on bail

upon furnishing a bond of Rs.5,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The prayer for anticipatory bail is allowed and CRM 1083 of 2021 is accordingly, disposed of.

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

(Biswajit Basu, J)

(Soumen Sen, J)