

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

30.11.2021
Sl. No. 44
k.b. /b.r.
Crt.1
granted

**CRM 1089 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Boxirhat P.S. Case No. 152 of 2021 dated 04.06.2021 for the alleged offences punishable under Sections 448/427/323/324/325/326/307/506/34 of the Indian Penal Code, 1860, corresponding G.R. Case No. 421 of 2021.

And

In the matter of: **Sadhak Barman & Ors.**

....Petitioners.

Mr. Hillol Saha Poddar

...for the Petitioners.

Mr. Sourav Ganguly
Mr. Biswarup Roy
Ms. Namrata Das

.....for the State.

Learned advocate for the petitioner submits that the petitioners have been implicated in the instant case out of political vendetta.

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 and draws the attention of this Court to the injury report.

We have perused the injury report as appearing in the case diary and we are *prima facie* of the view that the offences under Section 307 of the IPC and or Section 326 of the IPC is not attracted and as such we are

inclined to extend the benefit of anticipatory bail to the present petitioners.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sadhak Barman, Ashwini Dakuya, Pradip Dakua, Jagadish Dakua, Mithun Dakua, Prashanta Barman, Samir Dakua, Gopeswar Mandal, Mano Dakua @ Manoj Dakua, Rajib Dakua, Gopal Dakua, Dhanabindu Manta, Karuna Kanta Barman and Alokesh Barman** 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 petitioners shall meet with the investigating officer of the concerned police station once a week.

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.)

