

29.
05-01-2022
(ct. no.01)
debajyoti

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM(A) 2 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sahebganj Police Station Case No.118 of 2021 dated 25-03-2021 under Sections 447/435/427/506/34 of the Indian Penal Code and under Sections 3/4 of the Explosive Substance Act.

- A n d -

In the matter of : Shuvojit Deb @ Shubhajit Deb & Ors.
.... Petitioners.

Mr. Hillol Saha Podder
... For the Petitioners.

Mr. Aditi Shankar Chakraborty, learned APP,
Mr. Tapan Bhattacharjee
... For the State.

The petitioners are 20 out of 22 FIR named persons.

The allegation is that the petitioners are members of a particular political party. They ransacked the party office of a rival political party and set the same on fire.

We have seen the material in the Case Diary. Nobody suffered any injury.

On an overall assessment of the facts and circumstances of the case and considering the material on record, we are of the view 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, namely, **Shuvojit Deb @ Shubhajit Deb, Dibyendu Deb, Somen Deb, Saikat Deb, Amar Roy, Sanjay Barman, Gour Chandra Deb, Rabi Modak, Sukha Nanda Das, Animesh**

Barman, Sudhangshu Barman @ Sudhangsu Barman, Sanjib Roy, Prodip Sarkar, Subhomoy Barman @ Bappa Barman, Subal Mahanta @ Subal Mohonta, Ratan Kumar Barman @ Ratan Barman, Prosenjit Barman, Biswajit Ray @ Bisawojit Roy, Gopal Barman and Raju Ray, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference of this Court.

The application for anticipatory bail being CRM(A) 2 of 2022 is, thus, **allowed**.

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

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)