

19.
07-01-2022
(ct. no.01)
debajyoti

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM(A) 15 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No.431 of 2021 dated 14-10-2021 under Sections 448/323/325/326/354/427/506/34 of the Indian Penal Code.

- A n d -

**In the matter of : Rana Kirtianaya @ Rana Kirttaniya @
Rana Kirtania & Ors.
.... Petitioners.**

Mr. Hillol Saha Podder

... For the Petitioners.

Mr. Kallol Acharjee,
Ms. Namrata Das

... For the State.

The petitioners say that the alleged incident was a fallout of village rivalry. The petitioners have also filed a case against the complainant and his associates. No specific role has been assigned to the petitioners in the alleged incident. They are fully prepared to cooperate with the Investigating Officer.

The State vehemently opposes the prayer for anticipatory bail.

We have seen the material in the Case Diary. The injury report does not reveal anything significant. The statements of witnesses recorded under Section 161 of the Code of Criminal Procedure make general allegations and do not say anything specific about these petitioners.

On an overall assessment of the facts and circumstances of the case and the possible extent of the complicity of the petitioners in the alleged offence, 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, **Rana Kirtianaya @ Rana Kirttaniya @ Rana Kirtania, Samrat Dey, Sourav Dey, Rajib Kirtianaya @ Rajib Kirtania, Ranjit Mondal** and **Dinabandhu Kirtianaya @ Dinabandhu Kirttaniya**, 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 and on further condition that the petitioners shall meet the Investigating Officer once in every fortnight until further orders. 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) 15 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.)