

16.
11-01-2022
(ct. no.01)
debajyoti
(allowed)

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM(A) 36 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No.408 of 2020 dated 26-10-2020 under Sections 341/326/307/34 of the Indian Penal Code.

- A n d -

In the matter of : Alope Bhadra @ Puchka

.... Petitioner.

Mr. Sudip Guha

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Sagnik Sankar Sikdar

... For the State.

Charges are under Sections 341, 326, 307, and 34 of the Indian Penal Code.

The petitioner states that while returning from a Durga Puja pandal, disputes cropped up between two groups. A scuffle ensued resulting in injury to the victim.

The State produces the Case Diary and vehemently opposes the prayer for anticipatory bail.

We are told Charge Sheet has been filed. From the material available in the Case Diary and the injury report, *prima facie*, nothing incriminating is found against the petitioner. In view of the above, the petitioner is granted anticipatory bail subject to the petitioner cooperating with further investigation, if any.

Accordingly, in the event of arrest, the petitioner, namely, **Alope Bhadra @ Puchka**, shall be released on bail

upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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 petitioner shall meet the Officer-in-Charge of the concerned police station once in every fortnight until further orders. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner fails 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) 36 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.)