

07.07.2022
Court No.1
SL No.28
pk/AP

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(A) 324 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata P.S. Case No.165 of 2022 dated 02.04.2022 under Sections 25(1-A)/35 of the Arms Act.

And

In the matter of: **Biplab Barman @ Gautam and Ors.**

....Petitioners.

Mr. Subhasish Misra

...for the petitioners.

Mr. Aditi Shankar Chakraborty

Mr. Nilay Chakraborty

Mr. Biswarup Roy

...for the State.

Application for anticipatory bail is filed on the ground that no recovery of arms has been made from the petitioners. The petitioners have been named by one of the principal accused. The said principal accused, namely Firoz Ali, has been granted bail. The petitioners are only alleged to have fled the scene when the said Firoz Ali was arrested.

Counsel for the State opposes the prayer for anticipatory bail.

Having considered the case diary and evidence on record, this Court is of the view that the petitioners are entitled to anticipatory bail.

In the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs. 10,000/- each with two sureties of like amount each 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 conditions that they shall meet the investigating officer once in a week until further orders and they shall appear before the court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail is, thus, disposed of.

(Rajasekhar Mantha, J.)

(Ananda Kumar Mukherjee, J.)