

20.10.2022

JPD-6
Court No.28
S. Banerjee
S. Bhar
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

C.R.M. (A) 612 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.**336 of 2022** dated **17.09.2022** under Sections **341/323/325/326/307/34** of Indian Penal Code.

And

In the matter of: **Hosen Ali and others.**

....petitioners

Mr. Sudip Guha

...for the petitioners

Mr. Ujjal Luksom
Mr. Tapan Bhattacharjee

...for the State.

Having heard the learned advocate for the petitioners and the learned Public Prosecutor-in-charge and on careful perusal of the injury report, it is ascertained that the victim sustained only lacerated wound on the forehead and the nature of injury appears to be simple. There is no record with regard to any internal injury of the victim. In view of such circumstances, prima facie materials under Section 326/307 of the Indian Penal Code appear to be absent.

Considering such aspect of the matter, we are inclined to allow the instant application for anticipatory bail.

Accordingly, in the event of arrest, the petitioners may find bail of Rs.10,000/- (Rupees Ten Thousand Only) each, with one surety of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata subject to the

compliance of the provision under Section 438 (2) of the Code of Criminal Procedure, 1973.

If on bail, the petitioners are directed to visit the Investigating Officer once in a fortnight during investigation.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 612 of 2022 is, thus, disposed of.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)