

D/L 234
February 2, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 6 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.01.2023 in connection with G. R. No. 454 of 2016 arising out of Mekhliganj Police Station Case No. 232 of 2016 dated 16.08.2016 under Sections 143/341/324/325/326/307/120B/34 of the Indian Penal Code, 1860.

And

In the matter of: Ajit Adhikari @ Ajit Adhikary and others

.... petitioners

Mr. Anirban Banerjee

... for the petitioners

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil

... for the State

Learned counsel for the petitioners contends that the complaint was a result of political rivalry and was lodged against as many as about 100 persons, out of whom 73 have already obtained anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that several statements under Section 164 of the Code of Criminal Procedure are on record.

Be that as it may, taking into consideration the circumstances as indicated by the petitioners, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, CRM (A) 6 of 2023 is allowed, thereby granting anticipatory bail to the petitioners on condition that the petitioners

shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioners shall be released on bail upon furnishing individual bond of Rs.2,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj. The sureties may be common for all the petitioners. The petitioners shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall make themselves available in the trial in the event the petitioners' attendance is necessary in trial.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)