

AD-213
Ct No.01
Jalpaiguri
07.02.2023
TN

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

CRM (A) 18 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.01.2023 in connection with Sitai Police Station Case No. 192 of 2021 dated 29.11.2021 under Sections 399/402 IPC, read with Sections 4/5 of the Explosive Substantive Act, 1905, corresponding to GR Case No. 708 of 2021.

And

In the matter of: Arun Barman @ Hola

.... petitioner

Mr. Deborshi Dhar

... for the petitioner

Mr. Ujjwal Luksam,
Mr. Sagnik Sankar Sikdar

... for the State

Learned counsel for the petitioner contends that although the previous prayer for anticipatory bail of the petitioner was refused by a coordinate Bench on July 13, 2022, the other co-accused persons standing on similar footing as the petitioner were released on bail subsequently.

Learned counsel for the State opposes the prayer for anticipatory bail.

However, since the petitioner is standing on similar footing as the other co-accused persons who have already been enlarged on bail, we are inclined to grant similar relief to the petitioner.

Accordingly, CRM (A) 18 of 2023 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall

comply with the conditions in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend on each date of trial.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)