

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

27.02.2023.
127.
as
(Allowed).

C.R.M. (A) 77 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Malbazar P. S. Case No.832 of 2022 dated 03.11.2022 under Sections 448/324/326/307/34 of the Indian Penal Code.

In the matter of : Jhantu Nandi & Ors.

... Petitioners.

Mr. Biswarup Roy.

...for the Petitioners.

Mr. Nilay Chakraborty,
Mr. Tapan Bhattacharjee.

.....for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Incident occurred in course of a sudden quarrel. Whether the petitioner intended to murder the victim may be assessed during trial.

Keeping in mind the aforesaid circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and the petitioners may be granted anticipatory bail.

Accordingly, we direct that 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 subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)