

01.03.2023

Sl. No.33
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 85 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.01.2023 in connection with Mathabhanga Police Station Case No. 560 of 2022 dated 17.09.2022 under Sections 341/326 of the Indian Penal Code. (G.R. Case No.1120 of 2022)

And

In Re: ***Kanai Guha Roy***

... .. Petitioner

Mr. Partha Pratim Sarkar
Mr. Sandip Guha Roy

... .. for the petitioner

Mr. Kallol Acharjee
Ms. Namrata Das

... .. for the State

It is submitted on behalf of the petitioner that there were case and counter-case.

In view of such submission, case diaries of both the cases were called for.

We have considered the materials in the said case diaries. Injury report shows the injuries are simple. Under such circumstances, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Kanai Guha Roy***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the

petitioner shall appear before the court below and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)