

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

28.02.2023.
50.
as

C.R.M. (A) 164 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Matigara P.S. Case No.1239 of 2022 dated 11.12.2022 under Sections 447/186/506 of the Indian Penal Code read with Section 3(i)(r)(s) of SC and ST (POA) Act.

In the matter of : Samrat Mandal.

... Petitioner.

Mr. Subhasish Misra,
Mr. Swarup Das.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, ld. A.P.P.,
Mr. Arjun Chowdhury.

.....for the State.

FIR was registered under various offences including offence Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

In view of the bar under Section 18/18A of the said Act, the application for anticipatory bail is not maintainable.

Petitioner is directed to appear before the trial court and pray for regular bail within seven days from date. In the event, petitioner does pray for regular bail as aforesaid, the court shall consider his prayer for regular bail keeping in mind the fact that there are pending litigations between the parties, petitioner has co-operated with the investigation and there is no chance of his abscondence.

With these observations, the application is dismissed as not maintainable.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)