

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

12.04.2023
Court No.1
(D/L 62)
(allowed)

CRM (A) 202 OF 2023

In Re: An application for bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 21.03.2023 in connection with Sitalkuchi Police Station Case No.352 of 2015 dated 19.11.2015 under Sections 366A/368/120B of the Indian Penal Code and adding Section 14 C of the Foreigners Act, 1946.

And

In the matter of: **Bhairab Barman & Anr.**

... Petitioners.

Mr. Hillol Saha Podder
Ms. Mousumi Das

... for the petitioners.

Mr. Nilay Chakraborty
Ms. Namrata Das

... for the State.

Supplementary affidavit filed by the learned counsel appearing for the petitioner is kept with the record.

Perusing the supplementary affidavit, it can be seen that the petitioners are permanent residents of Coochbehar, West Bengal.

Perused the case diary from where it can be seen that the incident is of seven years back and both the petitioners are above sixty years old.

Considering the present facts and circumstances, we are inclined to grant anticipatory bail to the petitioners. We direct that in the event of arrest the petitioners be granted bail upon furnishing a bond of Rs.5,000/- with two sureties of Rs.2,500/- amount each, to the satisfaction of the learned ACJM, Mathabhanga and also subject to

the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973

The application for anticipatory bail is, accordingly, allowed.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)