

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

05.04.2023
Court No.1
(D/L 35)
(allowed)

CRM (A) 204 OF 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 20.03.2023 in connection with Dinhata Police Station Case No.336 of 2022 dated 15.07.2022 under Sections 448/436/34 of the Indian Penal Code, 1860.

And

In the matter of: **Nur Amin Miah @ Noor Amin Miah & Ors.**
... Petitioners.

Mr. Hillol Saha Poddar
Ms. Mousumi Das

... for the petitioners.

Mr. Ujjawal Luksom
Ms. Namrata Das

... for the State.

Heard the learned counsel for the petitioners and the learned counsel for the State.

On perusing the case diary this Court finds that there is no prima facie material in the case diary in respect of Section 436 IPC. The alleged incident occurred on 20.03.2022 and the present complaint was registered on 15.07.2022 i.e. after almost four months of the alleged incident.

It is also seen that the charge-sheet has been submitted in the present case on 22.12.2022.

Accordingly the petitioners are granted anticipatory bail upon furnishing a bond of Rs.5,000/- with two sureties of Rs.2,500/- amount each, to the satisfaction of the learned CJM, Coochbehar 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.)