

06.06.2023
SL No.66
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 237 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Falakata Police Station Case No.92 of 2023, dated 06.03.2023 under Sections 341/326/307/506 of the Indian Penal Code. And

In the matter of : **Majibar Rahaman**

- Petitioner.

Mr. Hillol Saha Podder,
Ms. Mousumi Das

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Chattu Roy

... For the State.

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated. The petitioner is innocent. It is submitted that the de facto complainant and the petitioner are resident of the same locality and out of previous enmity this compliant has been lodged. The learned Counsel for the petitioner submits that the accused assaulted the petitioner by sharp weapon and he has sustained grievous hurt.

Considering the nature of allegation, the involvement of the petitioner in the commission of the alleged offence and the injury report, we are of the view that the 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, **Majibar Rahaman**, 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.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)