

12.06.2023
Court No.01
Item No. 43
Allowed

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

sg

CRM (A) 347 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mathabhanga Police Station Case No. 164 of 2022 dated 08.04.2022 under Sections 143/283/186/353/332/333/325/307 of the Indian Penal Code read with Section 3/4 of PDPP Act.

And

In Re: **Purna Chandra Barman & Ors.**

Petitioners

Mr. Swarup Das

For the Petitioners

Mr. Kallol Acharjee

Mr. Tapan Bhattacharjee

For the State

The learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated.

The learned Counsel for the State in opposing the prayer for anticipatory bail submits that the Police Officers including the volunteers were injured and has produced the injury report.

Considering the materials available in the case diary and the nature of offence and the injury report which shows that the injury suffered is simple in nature and also having regard to the fact that the charge-sheet has already been filed, we are of the view, that the custodial interrogation of the petitioners is not required and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also comply with the conditions as laid down in Section

438(2) of the Code of Criminal Procedure, 1973. The petitioners shall co-operate with the investigation. The petitioners shall also surrender before the court below within four weeks from date and obtain regular bail.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 347 of 2023 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)