

13.06.2023
SL No.8
Court No.1
(gc)
(Allowed)

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

CRM (A) 349 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Dinhata Police Station Case No.172 of 2023, dated 04.04.2023 under Sections 341/326/307/506/120B/34 of the Indian Penal Code.

And

In the matter of : **Sabana Khatun & Anr.**

- Petitioners.

Mr. Sudip Guha

... For the Petitioners.

Mr. Abhijit Sarkar,

Mr. Chattu Roy

... For the State.

The learned Counsel for the petitioners submits that their names have been implicated due to political rivalry and they are innocent.

The learned Counsel for the State in opposing the prayer for anticipatory bail has submitted that the petitioners have been named in the FIR and their names transpired in the statement recorded under Section 161 of the Cr.P.C.

Considering the materials available in the case diary, the nature and complicity of the petitioners in the commission of the alleged offence and that the allegations are general and omnibus in nature, we are of the view that the custodial interrogation of the petitioners is not required.

Accordingly, we direct that in the event of arrest, the accused/petitioners 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, 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 No.2 shall meet the Investigating Officer once in a week till the charge sheet is filed and shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.

Accordingly, the application for anticipatory bail is allowed and 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.)