

15.6.2023

Sl. No.41

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[ALLOWED]

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

CRM (A) 398 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 112 of 2023 dated 24.4.2023 under Sections 143/341/325/326/307/501 of the Indian Penal Code.

And

In Re: ***Ruman Ali @ Amjad Ali & Ors.***

... .. Petitioners

Mr. Jaydeep Kanta Bhowmik

Mr. Sayantan Bhowmik

... .. for the petitioners

Mr. Ujjwal Luksom

Ms. Narmata Das

... .. for the State

1.Heard the learned Advocates appearing for the parties.

2.Learned counsel appearing for the petitioners submits that the petitioners are innocent and they are victim of political rivalry.

3.Learned counsel appearing for the State in opposing the prayer for anticipatory bail has submitted that the petitioners have inflicted grievous hurt upon the husband of the de-facto complainant.

4.Having considered the materials available in the case diary and one of the accused persons has been enlarged on bail and also having regard to the fact that the nature of injury, we are of the view that the custodial interrogation of the accused/petitioners may not be necessary and they may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the accused/petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount, 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 petitioners shall meet the Investigating Officer once in a week till the charge-sheet is filed and co-operate with the investigation and on further condition that the petitioners shall not leave the jurisdiction without the permission of the jurisdictional court and shall surrender before the court below within four weeks from date and pray for regular bail.

6. The application for anticipatory bail is, thus, disposed of.

7. 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.)