

06.07.2023
Item no.54
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) No.490 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No.142 of 2023 Dated 21.3.2023 under Sections 341/326/354/506/34 of the Indian Penal Code

And

In the matter of : Abdul Khalek & Ors.

.....Petitioners.

Mr. H. S. Poddar,
Ms. Mousumi Das for the Petitioners.

Mr. Abhijit Sarkar,
Mr. Dhiman Sil for the State.

Heard learned Advocate for the petitioners and the learned Advocate for the State at length.

On perusal of the entire material as placed before us, it prima facie appears that the victim suffered injury on her person on account of dispute between the two neighbours. It also appears that the injuries of the victim are not very serious.

Such being the position, we are inclined to allow the prayer of the petitioners for anticipatory bail.

Accordingly, in the event of arrest, the petitioners, namely Abdul Khalek, Sayra Bibi @ Sayara Bibi and Sahanur Rahaman shall be released on bail upon furnishing a bond of Rs.2,000/- each, with one registered surety of like amount each, to the satisfaction of the arresting officer and shall abide by the

conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the present accused petitioners shall appear before the learned Trial Court on each date of substantive hearing subject to the provisions of Section 317 Cr.P.C. until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. (A) No.490 of 2023 is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)