

14.07.2023
Item no.45
Court No.1.
AB
(Allowed)

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

CRM (A) No.560 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sahebganj Police Station Case No.25 of 2023 Dated 27.1.2023 under Sections 341/323/325/307/354/427/506 of the Indian Penal Code

And

In the matter of : Bappa Raj BarmanPetitioner.

Mr. H. S. Poddar,
Ms. Mousumi Dasfor the Petitioner.

Mr. Nilay Chakraborty,
Mr. Aniruddha Biswasfor the State.

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

Learned Advocate for the State opposes the prayer for anticipatory bail.

On perusal of the entire material in the case diary, it appears that in the injury report of the victim the present petitioner's name is transpiring as the assailant as recorded by the treating doctor from the version of the victim. However, considering the fact that the injuries are not serious and keeping in mind that investigation has progressed substantially, we are inclined to allow the prayer of the petitioner.

Accordingly, in the event of arrest, the petitioner, namely Bappa Raj Barman shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties 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 petitioner shall meet the Investigating Officer of the case as and when called for till submission in Final Form.

In case the petitioner fails 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.560 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.)