

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

16.08.2023
Court No.1
Item. 56
(sg/cm)

CRM(A) 593 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Kuchlibari Police Station Case No. 35 of 2023 dated 10.04.2023 under Sections 143/341/186/353/332/333/308/427 of the Indian Penal Code, 1860.

And

In the matter of: KRISHNA KANTA ROY & ORS.

.Petitioners.

Mr. Anirban Banerjee

For the Petitioners.

Mr. Abhijit Sarkar
Mr. Sourav Ganguly

For the State.

1. The ten petitioners before the Court were allegedly involved in causing damage to a police vehicle. The police had to intervene in an incident where the ten persons and three others had alleged assaulted the perpetrator of an offence against a girl. All ten persons are residents of the same locality, i.e., Kuchlibari, Cooch Behar.
2. Learned counsel appearing for the State submits that the persons who suffered minor injuries were later discharged from hospital and that it is difficult to pinpoint specific charges against the petitioners since the petitioners were a part of a mob which was involved in the alleged incident of assault.

3. Upon considering the submissions and perusing the relevant facts, we are of the view that custodial interrogation of the ten petitioners before the Court is not necessary.
4. We accordingly grant the prayer for anticipatory bail.
5. The I.O. is present in Court.
6. We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioners shall cooperate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
7. The application for anticipatory bail being CRM(A) 593 of 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)