

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

17.08.2023
Court No.1
Item. 47
(sg/cm)

CRM(A) 594 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Pundibari Police Station Case No. 285/2023 dated 28.04.2023 under Sections 448/325/326/427/307/34 of the Indian Penal Code.

And

In the matter of: DEBABRATA DAS @ DEBU & ORS.

.Petitioners.

Mr. Hillol Saha Poddar

For the Petitioners.

Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee

For the State.

1. We do not find any material placed before us which would justify custodial interrogation of the four petitioners before us. The case appears to be a case of political rivalry between two groups. We also find that one of the 18 accused persons was granted anticipatory bail by a Co-ordinate Bench by its order dated 7th July, 2023.
2. We are hence inclined to grant the prayer for anticipatory bail.
3. 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.

4. The application for anticipatory bail being CRM(A) 594 of 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)