

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

17.08.2023
Court No.1
Item. 53
(sg/cm)

CRM(A) 609 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Dinhata Police Station Case No. 293/2023 dated 20.06.2023 under Sections 341/325/326/307/506/34 of the Indian Penal Code read with Section 25/27 of the Arms Act.

And

In the matter of: ABU SAYED ALI AND ORS.

.Petitioners.

Mr. Sudip Guha

For the Petitioners.

Mr. Nilay Chakraborty
Mr. Subhasish Misra

For the State.

1. We find that out of the 33 persons named in the F.I.R., six have already been granted anticipatory bail while five others have been released on bail.
2. The learned counsel appearing for the prosecution submits that there are no specific charges against the petitioners.
3. We find from the submissions made on behalf of the parties that the three petitioners before us are similarly circumstanced as the petitioners who were before the Co-ordinate Bench on 13th and 14th July, 2023. We hence find no reason to hold that the custodial interrogation of the three petitioners is required.
4. We are accordingly inclined to allow for anticipatory bail.

5. 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.
6. The application for anticipatory bail being CRM(A) 609 of 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)