

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

16.08.2023
Court No.1
Item. 12
(sg/cm)

CRM(DB) 451 OF 2023

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Dinhata Police Station Case No. 293 of 2023 dated 20.06.2023 under Sections 341/325/326/307/506/34 of the Indian Penal Code and read with Section 25/27 of the Arms Act and corresponding to G.R. No. 317 of 2023.

And

In the matter of: JAMIRUL HAQUE & ANR.

.Petitioners.

Mr. Sudip Guha

For the Petitioners.

Mr. Sourav Ganguly
Ms. Sukanya Adhikari

For the State.

1. Two petitioners before the Court were part of a political rally which led to one victim suffering bullet injury and other victims suffering minor injuries.
2. Altogether, 33 persons were named in the F.I.R. and five persons were granted anticipatory bail on 5th July, 2023 and one more person was granted anticipatory bail on 13th July, 2023. A Co-ordinate Bench granted bail to three others on 14th July, 2023 on the ground that six of the co-accused had already granted anticipatory bail.
3. There is no doubt that the two petitioners before us were involved in the same offence and, hence, on a similar footing as the nine others who were granted anticipatory bail/ bail.
4. This is also the position taken on behalf of the State.

5. We are hence of the view that the petitioners have made out a case for grant of bail.
6. The petitioners shall accordingly 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 ACJM, Dinhata. The petitioners shall not induce witnesses or influence them or tamper with the evidence. The petitioners shall also make themselves available for the trial as and when the petitioners are required and shall also not leave the jurisdiction of the concerned police station without leave of the concerned authorities.
7. CRM(DB) 451 of 2023 is accordingly allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)