

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

25.08.2023
Court No.1
Item.33
(sg/ks)

CRM(A) 617 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.172 of 2023 dated 04.04.2023 under Sections 341/ 326/ 307/ 506 /120B / 34 of the Indian Penal Code.

And

In the matter of: TAPAN BARMAN & ANR.

.Petitioners.

Mr. Sudip Guha
Mr. Partha Pratim Sarkar

For the petitioners.

Mr. Ujjwal Luksom
Mr. Chattu Roy

For the State.

1. The petitioners before us are two out of the thirty persons named in the F.I.R. We find that two of the co-accused were granted bail by a Co-ordinate Bench on 13th June, 2023 and one other by this Bench on 24th August, 2023.
2. We find that the petitioners before us are the similarly circumstanced as the petitioners, who were granted bail by the Co-ordinate Bench on 13th June, 2023. We are, accordingly of the view that custodial interrogation of the petitioners is not required.
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) 617 OF 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)