

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

24.08.2023
Court No.1
(D/L 09)
(AK)

CRM (DB) 459 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 11.08.2023 in connection with Dinhata Police Station Case No. 597 of 2022 dated 04.12.2022 under Sections 341/323/325/326/307/506/34 of the IPC,1860.

And

In the matter of: **Ajoy Roy**

... Petitioner.

Mr. Arnab Saha

... for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Nilay Chakraborty
Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee
Mr. Sourav Ganguly
Mr. Subhasish Misra

...for the State.

Considering the nature of injuries in the reports which do not mention any specific injuries or whether the injuries are simple or grievous in nature together with the fact that two of the twenty six co-accused have already been granted anticipatory bail by the learned ACJM, Dinhata, we are of the view that the petitioner's prayer for bail should be allowed.

The FIR and the charges and counter-charges admittedly relate to rivalry between two political parties and it is significant that the petitioner remains in custody despite being granted bail by a coordinate Bench on 2nd August, 2023 in CRM(DB) 436 of 2023.

The above reasons persuade us to grant the prayer for bail.

The petitioner shall accordingly be released on bail upon furnishing bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Dinhata. The petitioner shall not induce or influence witnesses or tamper with evidence in any manner whatsoever. The petitioner shall not leave the local limits of the concerned Police Station during the entire period of trial without obtaining leave from the learned Court and shall meet the I.O. once every week and cooperate fully with the investigation.

C.R.M.(DB) 459 of 2023 is accordingly allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)