

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

24.08.2023
Court No.1
(D/L 10)
(AK)

CRM (DB) 462 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 14.08.2023 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 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.

We have considered the injury reports given of a private hospital and the statements made under Section 161 of the CrPC none of which contain specific allegations against the petitioner. Admittedly, the FIR was filed against thirty accused persons of which seven for granted bail by the learned ACJM, Dinhata and two were granted anticipatory bail by a coordinate Bench on 13th June, 2023. The allegations and counter-allegations relate to political rivalry and clashes. It is also undisputed that the petitioner despite being granted bail by a coordinate Bench on 2nd August, 2023 in CRM(DB) 436 of 2023 remains in custody.

We are, accordingly, of the view that the petitioner's prayer for bail should be granted.

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) 462 of 2023 is accordingly allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)