

29.08.2023  
Item no.42  
Court No.01  
P.P./S.D.

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

**CRM (A) 685 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

**In Re : Tafajul Hossain @ Miya**

.... Petitioner

Mr. Subhasish Misra,  
Mr. Swarup Das

....for the petitioner

Mr. Biswarup Roy,  
Mr. Nilay Chakraborty

..... for the State

Apprehending arrest in connection with Coochbehar Kotwali Police Station Case No.525 of 2023 dated 19.05.2023 under Sections 341/325/326/307/354/379/34 of the Indian Penal Code, 1860, the present application has been preferred.

Heard the learned advocates appearing for the respective parties.

Having considered the materials on record, particularly the medical reports and bearing in mind the nature of allegations in the light of the arguments as advanced on behalf of the parties and in view of the fact that pertaining to the same dispute, separate complaints were lodged by the parties, we are of the opinion that custodial interrogation of the petitioner may not be necessary more so, when upon completion of the investigation chargesheet has been submitted.

Accordingly, we allow the prayer for anticipatory bail of the petitioner.

We direct that in the event of arrest, the petitioner namely, **Tafajul Hossain @ Miya**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner shall not tamper with the evidence or intimidate the witnesses.

The application for anticipatory bail CRM (A) 685 of 2023 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Lapita Banerji, J.)**

**(Tapabrata Chakraborty, J.)**