

AD-14
Ct No.01
Jalpaiguri
14.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 691 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.08.2023 in connection with Jaigaon Police Station Case No. 112 of 2023 dated 27.04.2023 under Sections 341/326/307/34 of the IPC, 1860 (Corresponding to G.R. Case No. 753 of 2023) pending before the Court of the Learned Additional Chief Judicial Magistrate, Alipurduar.

And

In the matter of: TAJU MIAH @ NUR ELAHI AND ANR

.... petitioners

Mr. Arijit Ghosh

... for the petitioners

Mr. Kallol Acharjee
Ms. Sukanya Adhikary

... for the State

1. Learned counsel for the petitioner submits that one of the co-accused on similar footing has already been enlarged on bail. There were allegations and counter allegations between the de facto complainant and the petitioners.
2. Learned counsel for State opposes the prayer for anticipatory bail. Since it transpires that charge sheet has already been filed and the trial is about to begin, we are of the opinion that the petitioners ought to be granted leave to pray for regular bail before the appropriate Court. Hence, CRM (A)

691 of 2023 is dismissed, with liberty to the petitioners to seek regular bail.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)