

26.09.2023
Court No.1
SL No.31
pk/AP

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

CRM(A) 763 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sahebganj** P.S. Case No.**62 of 2023** dated **26.02.2023** under Sections **143/147/148/325/326/307/332/333/427/353/506** of the IPC read with Sections **25(1A)/27** of the Arms Act and Sections 3/4 of the PDPP Act.

And

In the matter of: **Jibesh Biswas @ Suman**

....Petitioner.

Mr. Subhasish Misra

...For the Petitioner.

Mr. Sourav Ganguly
Ms. Sukanya Adhikary

...For the State.

1. The application for anticipatory bail is filed by the petitioner stating that he was present in the scene of the crime to only watch the proceedings but did not participate in crime of any offence.

2. It appears that the petitioner has been named by a police officer under section 161 of the CrPC. Other co-accused obtained regular bail after arrest. The petitioner appears to be absconding.

3. Given the nature of the charges and the volatile atmosphere in the State that often resulted in political clashes, this Court is not inclined to grant anticipatory bail to the petitioner.

4. The petitioner shall surrender and seek regular bail.

5. In these circumstances, the application for anticipatory bail is hereby rejected.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)