

10.10.2023
PB, 19.

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

CRM (A) 793 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Dinhata P.S. Case No.223 of 2023 dated 08.05.2023 under Sections 448/323/354/379/307/427/506/34 read with Section 25/27 of the Arms Act.

And

In the matter of: Nazmul Haque & Ors.

.... petitioners

Mr. Sandip Guha Roy.
.....for the petitioners.

Mr. Nilay Chakraborty,
Mr. chattu Roy.
.....for the State.

Heard learned advocates appearing for the parties.

This is an application for anticipatory bail against the alleged offence of injury. It is the case of the petitioner that three other co-accused persons have been granted anticipatory bail in this case and he relies on the order of this Court dated 14th September, 2023 in CRM(A) 727 of 2023 for this purpose.

Learned advocate for the State respondent opposes this application but does not deny the fact that other co-accused have already been granted bail and he could not produce any medical certificate/medical documents relating to injury if any, in this case which is quite strange and says that it is not found. Considering the

facts and circumstances of the case, we are of the view that petitioner has been able to make out a case for consideration of his application for anticipatory bail.

In the event of arrest, the petitioner may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount to the satisfaction of the learned ACJM, Dinhata. The petitioner shall meet the investigation officer once in a month until further order of this Court.

With this observation and direction, the application being CRM(A) 793 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)