

29.09.2023  
Court No.1  
SL No.12  
pk/AP

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

**CRM(A) 804 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Matelli** P.S. Case No.**167 of 2023** dated **24.08.2023** under Sections **341/323/325/307/379/34** of the Indian Penal Code.

And

In the matter of: **Mamun Md and Ors.**

....Petitioners.

Mr. Supriya Debnath

...for the petitioners.

Mr. Tapan Bhattacharjee  
Mr. Dhiman Sil

...for the State.

1. The application for anticipatory bail is sought in respect of offences by the petitioners who are accused under Sections 341/323/325/307/379/34 of the IPC.
2. It is submitted that the assault was a provocation by the complainant's family, when one of the petitioners' family was raped. In fact, the petitioners have lodged a complaint on 24<sup>th</sup> August, 2023 in respect of an incident which has been registered as FIR No.168 of 2023 dated 24<sup>th</sup> August, 2023 under sections 448/303/325/376/511/506 of the IPC.
3. In the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

4. In the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall meet the investigating officer as and when required until further orders and they shall appear before the court below and pray for regular bail within a fortnight from date and on further condition that the petitioners shall stay away from the jurisdiction of the Matelli Police Station until final report is filed by the police.

5. It is ordered that the investigation into the FIR No.167 of 2023 and FIR No.168 of 2023 are completed within a period of two months from date mandatorily and positively.

6. The application for anticipatory bail is, thus, disposed of.

**(Rajasekhar Mantha, J.)**

**(Supratim Bhattacharya, J.)**