

29.09.2023.

Item No. 26

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 818 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 14.09.2023 in connection with Dinhata Police Station Case No. 597 of 2022 dated 04.12.2022 under Sections 341/323/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of: **Dhiman Barman.** ...petitioner

Mr. Sudip Guha. ...For the petitioner

Mr. Nilay Chakraborty,
Ms. Sukanya Adhikar.For the State

1. The application for anticipatory bail is filed on the ground that there is no specific allegation against the petitioner of his participation in the offence.
2. It appears from the records that there is a political rivalry which resulted in a clash. The injury reports do not indicate any grievous assault. It further appears from the records that four of the co-accused persons have been granted bail and anticipatory bail by a Co-ordinate Bench of this Court and the Court below respectively.
3. In that view of the above, the petitioner shall be entitled to anticipatory bail.
4. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the

arresting officer upon furnishing a Bond of Rs.10,000/- with two sureties of Rs.5,000/- each, one of whom must be local subject to the condition that the petitioner shall co-operate with the investigation as and when called for until further order of this Court.

5. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

6. The Case Diary be returned.

7. C.R.M. (A) No. 818 of 2023 is allowed and disposed of.

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

(Supratim Bhattacharya, J.) (Rajasekhar Mantha, J.)