

**09.10.2023
PB, 114.**

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

CRM (A)871 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Sitalkuchi P.S. Case No.84 of 2021 dated 11.04.2021 under Sections 341/323/324/326/307/134 of the Indian Penal Code, 1860.

And

In the matter of: Dilip Barman.

.... petitioner

Mr. Hillol Saha Podder,
Ms. Mousumi Das.

.....for the petitioner.

Mr. kallol Acharjee,
Ms. Namrata Das.

.....for the State.

Heard both the parties.

This application has been filed for anticipatory bail apprehending arrest in an offence alleged to have been committed on 11th April, 2021.

Learned advocate appearing for the petitioner submits that more than two and half years have already been passed from the date of occurrence of alleged offence. Learned advocate for the petitioner accused submits the charge is arising out of a political matter and charge-sheet has already been submitted and many of the co-accused persons are already on bail.

Learned advocate representing the State is not in a position to contradict the aforesaid submission of the petitioner.

Considering the facts and circumstances of the case, we are of the view that custodial interrogation of the petitioner is not required and petitioner is entitled to get bail in case he is arrested on condition that he will make himself available in the trial.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the ACJM, Mathabhanga. Needless to mention that petitioner shall make himself available in trial on every date and in case of default in any of the conditions indicated herein, learned Magistrate will be free to cancel the bail.

With this observation and direction, the application being CRM 871 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)