

10.10.2023
PB, 50.

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

CRM (A) 872 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Sitalkuchi P.S. Case No.119 of 2023 dated 03.05.2023 under Sections 341/323/325/326/307/506 of the Indian Penal Code.

And

In the matter of: Rabban Miya & Anr.

.... petitioners

Mr. Hillol Saha Poddar,
Ms. Mousumi Das.

.....for the petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. subhasish Misra.

.....for the State.

This is an application for anticipatory bail. Petitioner submits that the present case arose out of a complaint lodged under Section 156 of the Cr.P.C. He submits that there is no specific allegation against the accused persons and he submits that it is a fit case to extend the benefit of pre arrest bail to the petitioner.

Learned advocate for the State respondent vehemently opposes such prayer.

Perused the case diary and other materials on record. Considering their submission and the injury report, we are of the view that custodial interrogation of the petitioner is not necessary.

In the event of arrest, the petitioners 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, Mathabhanga. The petitioner shall meet the investigation officer once in a month until further order of this Court and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973..

With this observation and direction, the application being CRM(A) 872 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)