

11.10.2023
PB, 10.

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

CRM (A) 881 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.516 of 2023 dated 09.09.2023 under Sections 447/341/323/307/427/506/34 of the Indian Penal Code read with Sections 25 and 27 of the Arms Act, 1959..

And

In the matter of: Ashish Deb @ Ashish Dey

.... petitioner

Mr. Sayak Chakraborti,
Mr. wrickbrata Roy,
Ms. Pratusha Dutta Chowdhury.
.....for the petitioner.

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee.
.....for the State.

Heard learned advocates appearing for the parties.

This is an application for anticipatory bail. Charge against the petitioner is under Sections 447/341/323/307/427/506/34 of the Indian Penal Code read with Sections 25 and 27 of the Arms Act, 1959. Learned advocate for the petitioner submits that there is no visible external injury and no seizure of arms and ammunition and it is also the case of the petitioner that other accused persons have already been granted anticipatory bail by another Coordinate Bench of this Court by the order dated 29th September, 2023 in CRM(A) 824 of 2023 and petitioner stands on the same footing.

Learned advocate for the State respondent produced the injury report from which prima facie it appears that nature of injury is not very serious and there was no hospitalization and considering the facts and circumstances of the case, we are of the view that custodial interrogation of the petitioner is not required.

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 one of whom must be local, to the satisfaction of the learned ACJM concerned, Dinhata. The petitioner shall meet the investigation officer once in a month until further order of this Court and shall also 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) 881 of 2023 is disposed of.

(Md. Nizamuddin, J.)

(Partha Sarathi Chatterjee, J.)