

**20.11.2023**

Serial no.45

**Court No.1**

(CHC)

(Allowed)

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

**CRM (A) 895 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rajganj** Police Station Case No. **487** of **2023** dated **28.09.2023** under Sections **143/149/332/353/427/435** of the Indian Penal Code, 1860 read with Section **8B** of the N.H. Act and Section 9 of the MPO Act.

And

In Re : Malin Roy

..... petitioner

Mr. Surajit Basu, Advocate  
....for the petitioner

Mr. Tapan Bhattacharjee, Advocate  
Mr. Dhiman Sil, Advocate  
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 of the Criminal Procedure Code and the injury report.

Apparently, no police personnel suffered injury. The injury of the victims suggest that they did not suffer grievous hurt.

The statements recorded under Section 161 of the Criminal Procedure Code suggest that, petitioner was involved

in an incident of blockage of a national highway and setting on fire a vehicle which was partially burnt.

Considering the gravity of the offence and the involvement of the petitioner in the incident as transpiring from the materials in the Case Diary, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, 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 condition that the petitioner shall report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**

