

20.11.2023

Serial no.46

Court No.1

(CHC)

(Allowed)

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

CRM (A) 896 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dinhata** Police Station Case No. **362** of **2023** dated **10.07.2023** under Sections **448/427/379/506/34** of the Indian Penal Code and read with Sections **25/27/35** of the Arms Act.

And

In Re : Bidyut Barman @ Bittu Barman & ors.

..... petitioners

Mr. Pronojit Roy, Advocate
....for the petitioners

Mr. Kallol Acharjee, Advocate
Mr. Kallol Nag, Advocate
....for the State

There omnibus allegations as against the petitioners, as appearing from the materials in the Case Diary.

No arms were recovered from the possession of the petitioners.

According to the petitioners, they were falsely implicated due to political rivalry.

In such circumstances, considering the gravity of the offence and involvement of the petitioners as appearing from the materials in the Case Diary, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners shall report before the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accuseds and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners 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.)