

02.02.2023

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***Calcutta High Court***  
***In the Circuit Bench at Jalpaiguri***

**CRM (A) 777 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.12.2022 in connection with Phansidewa Police Station Case No. 522 of 2022 dated 29.11.2022 under Sections 498A/325/307 of the Indian Penal Code.

In the matter of : Saiaf Ali Khan and others

... petitioner

Mr. Sudip Guha

...for the petitioners

Mr. Abhijit Sarkar,  
Mr. Chattu Roy

...for the State

Ms. Pratusha Dutta Cowdhury

...for the defacto complainant

Heard learned counsel for the parties.

Learned counsel appearing for the petitioners submits that there has been a resolution of the dispute between the petitioners and the *de facto* complainant. As such, the petitioners ought to be granted anticipatory bail.

Learned counsel appearing for the *de facto* complainant agrees with such contention of the petitioners.

Moreover, learned counsel for the State points out that the nature of the injury is simple.

Keeping in mind the above circumstances, CRM (A) 777 of 2022 is allowed, thereby granting anticipatory bail to the petitioners on condition that the petitioners shall comply with the conditions as stipulated in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioners shall be released on bail upon furnishing individual bonds of Rs.2,000/- (Rupees Two Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri and on further condition that the petitioners shall cooperate with the investigation and make themselves available in the event so required to be present by the Investigating Officer during the entire period of investigation.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)