

03.02.2023

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

CRM (A) 798 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23.12.2022 in connection with Boxirhat Police Station Case No. 447 of 2021 dated 14.12.2021 under Sections 147/148/149/325/326/307/506/34 of the Indian Penal Code.

In the matter of : Chandra Kumar Saha @
Chandra Mohan Saha and others
... petitioners

Mr. Arjun Chowdhury,
Ms. Pratusha Dutta Chowdhury
...for the petitioners

Mr. Aditi Shankr Chakraborty,
Mr. Tapan Bhattacharjee
.....for the State.

Heard learned counsel for the parties.

Learned counsel appearing for the petitioners contends that the complaint against the petitioners was a counterblast against the previous complaint lodged by the petitioners. Moreover, five other accused persons have already been granted anticipatory bail.

Learned counsel appearing for the State objects to the prayer for anticipatory bail of the petitioners.

However, considering the materials on record, we are of the opinion that it is a sufficiently fit case for granting anticipatory bail.

Accordingly, CRM (A) 798 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 bond 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, Tufanganj and on further condition that the petitioners shall not leave the territorial jurisdiction of the concerned police station during the entire period of investigation and cooperate with the investigation as far as possible and make themselves available in the event so required to be present by the Investigating Officer during the entire period of investigation. The sureties in case of all the petitioners may be common.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)