

04.12.2023

Sl. No.5

akd

[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 923 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.11.2023 in connection with Rajganj Police Station Case No. 536 of 2023 dated 06.11.2023 under Sections 341/325/326/307 of the Indian Penal Code. (G.R. Case No.5726 of 2023)

And

In Re: ***Aviram Biswas***

... .. Petitioner

Mr. Sandeep Dutta

... .. for the petitioner

Mr. Abhijit Sarkar

Mr. Sourav Ganguly

... .. for the State

1. It is submitted on behalf of the petitioner that the incident occurred in course of a sudden fight. Injuries are not grievous. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. We have also examined the injury report. Injuries are not described as grievous. Under such circumstances, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary.
4. Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Aviram Biswas***, 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 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 appear before the court below and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)