

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

12.12.2023.
13/tkm

C.R.M. (A) 976 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dinhata P.S case no. 224 of 2023 dated 8.5.2023 under sections 448/323/354/326/379/427/506/34 of the IPC read with sections 25/27 of the Arms Act
And

Allowed

In Re : Sirajul Hoque & Ors.petitioners

Mr. Sudip Guho

...for the Petitioners

Mr. A S Chakraborty, Id APP

Mr. Aniruddha Biswas

...for the State

1. Petitioners submit there was a free fight and case and counter case came to be registered. They have been falsely implicated. They pray for anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail. He contends that the injury is severe.

3. We have considered the material on record. There was a free fight and case and counter case were registered. No gunshot injury is found on the victim.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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.

6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 976 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)