

14.12.2023

Sl. No.32
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 1015 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 11.12.2023 in connection with Sahebganj Police Station Case No. 325 of 2023 dated 10.08.2023 under Sections 147/148/149/186/332/333/334/427/307 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act and Section 25(1-A) of the Arms Act.

And

In Re: ***Mani Barman & Ors.***

... .. Petitioners

Mr. Sudip Guha

... .. for the petitioner

Mr. Aditi Shankar Chakraborty .. Id. Addl. Public Prosecutor
Mr. Arjun Chowdhury

... .. for the State

1. It is submitted on behalf of the petitioners that there was a scuffle between two political groups during election of Pradhan and Upa-Pradhan in the Gram Panchayat. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State produces the case diary.
3. We have considered the materials on record. Allegations against the petitioners are general and omnibus. Possibility of false implication due to political affiliation cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely ***(1) Mani Barman, (2) Tarani Kanta Barman, (3) Manik Sarkar, (4) Prasenjit Roy @ Prosenjit Roy, (5) Alok Adhikary***

@ Alok Adhikari, (6) Sagar Barman, (7) Sablu Barman, (8) Tapas Barman @ Thakur, (9) Tinku Barman, (10) Mahanta Adikary @ Mohanta Adhikary, (11) Atul Barman, (12) Mrityunjoy Barman, (13) Rudra Barman @ Rudrak Barman & (14) Dhananjay Barman, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. They 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.)