

29.01.2024
(D/L 125)
Ct. No.1
(Allowed)
(SKB)

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

C.R.M.(A) 38 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P. S. Case No.821 of 2021 dated 17.08.2021 under Sections 143/341/326/307/302/34 of the Indian Penal Code (G.R. Case No.1317 of 2021).

In the matter of : Jahangir Alam @ Hossain
... Petitioner

Mr. Arjun Chowdhury,
Ms. Pratusha dutta Chowdhury,
Ms. Riya Agarwal
... for the petitioner

Mr. Aditi Shankar Chakraborty, APP
Mr. Biswarup Roy
... for the State

Mr. Bikash Singha
... for the defacto complainant

1. Heard learned Counsel for the parties.
2. The trial is stated to have commenced after split up. The present petitioner is stated to have not been named in the evidence of the informant to be an assailant.
3. The present petition for anticipatory bail is stated to have been moved after proclamation against the petitioner under Sections 82 and 83 Cr.P.C. was set aside by the revisional court.
4. Taking into consideration the facts and submission, the development in the meantime and for timely conclusion of the trial, we direct that the petitioner shall surrender

before the learned CJM, Cooch Behar in G.R. Case No.1317 of 2021 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail including the conditions that

- i) The petitioner shall appear before the aforesaid Judicial Magistrate twice in a week till commitment is over.
- ii) He shall appear before the trial court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.
- iii) He shall not leave the jurisdiction of the learned trial court for a period of 15 at a time without prior leave of the trial court.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. The applications being CRM(A) 38 of 2024 is disposed of.

7. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)