

01.02.2024
(D/L 6)
Ct. No.1
(Allowed)
(SKB)

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

C.R.M.(A) 96 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bhaktinagar P. S. Case No.717 of 2023 dated 16.08.2023 under Section 341/324/325/307/506/34 of the Indian Penal Code (G.R. Case No.4372 of 2023).

In the matter of : Ananda Roy and others

... Petitioners

Mr. Sourav Ganguly,
Mr. Biswarup Roy,
Ms. Rishita Chakraborty,
Mr. Gopal Roy

... for the petitioners

Mr. Kallol Acharjee,
Mr. Chattu Roy

... for the State

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the injured recorded under Section 161 Cr.P.C. and the injury report in respect of him.
3. Learned counsel for the State objects to the prayer of the petitioners in the present petition.
4. From the injury report, it is found that the injured was discharged from hospital within two days of hospitalization and there is no bony injury except a cut injury in the left parietal region of the head. The occurrence is stated to have happened due to a village

rivalry and there is stated to be case and counter-case between the parties.

5. Charge-sheet has already been filed.
6. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed supra and completion of investigation, it is directed that each of the petitioner shall surrender before the learned CJM, Jalpaiguri within 15 days from today in the G.R. Case No.4372 of 2023 arising out of the aforesaid P.S. case.
7. On their appearance and application for bail, they shall be released on bail by the aforesaid court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The applications being CRM(A) 96 of 2024 is disposed of.
10. 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.)