

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

06.03.2024

Court No.1

Item.128

(Srimanta)

CRM(A) 121 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Sahebganj Police Station Case No.257/2023 dated 07.07.2023 under Sections 448/323/325/326/307/34 of the Indian Penal Code read with Sections 25(1-A)/27 of the Arms Act and corresponding to GR Case No. (1)355/2023.

And

In the matter of: **Moni Barman @ Mani Barman & Ors.**

. . .Petitioners.

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha

... For the petitioners.

Mr. Nilay Chakraborty,
Mr. Kallol Nag

...For the State.

All the 4 petitioners before us have been named in the statements made under 161 of the Code of Criminal Procedure, 1973. Learned Counsel for the prosecution submits that charge-sheet has not been submitted till date and investigation is still going on.

Hence, the fact of other co-accused being released on bail and anticipatory bail would not assist the petitioners, who have been individually named in the material contained in the Case Diary.

We are hence not inclined to grant the prayer for anticipatory bail.

The application for anticipatory bail being CRM (A) 121 of 2024 is accordingly rejected.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)