

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

07.03.2024

Court No.1
Item.116
(Srimanta)

CRM(A) 131 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Kotwali Police Station Case No. 728/2023 dated 08.07.2023 under Sections 147/148/149/186/188/326/302 of the Indian Penal Code, 1860 read with Sections 25/27 of the Arms Act, 1959 and Section 9(B) of the Explosive Substances Act, 1908 after filing of the charge-sheet vide No. 1113/2023 dated 03.10.2023 under Sections 147/148/149/186/188/353/333/326/302 of the Indian Penal Code, 1860 read with Section 9(B) of the Explosive Substances Act, 1908 corresponding to GR Case No. 1239/2023.

And

In the matter of: **Kartik Barman & Anr.**

. . .Petitioners.

Ms. Suman Sehanabis (Mandal),
Mr. Salok Sah

... For the petitioners.

Mr. Nilay Chakraborty,
Ms. Namrata Das

...For the State.

1. Admittedly, the case before us is one of the political rivalry and several of the co-accused have already been granted anticipatory bail. The most recent order of a Coordinate Bench dated 31.01.2024 also reflects that one Narayan Barman, one of the co-accused was enlarged on bail.

2. Hence, we are of the view that custodial interrogation of the petitioner is not required.
3. We accordingly direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation and make himself available for questioning to the Investigating Officer whenever he is required to do so. The petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
4. The application for anticipatory bail being CRM (A) 131 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)