

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

14.03.2024
Court No.1
(92)
(AK)

CRM(A) 179 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Boxirhat Police Station Case No. 487 of 2023 dated 22.11.2023 under Sections 448/323/325/326/354/506/34 of the Indian Penal Code.

And

In the matter of: **Rafijul Sekh @ Rafijul Seikh & Anr.**

. **Petitioners.**

Mr. Hillol Saha Podder
Ms. Mousumi Das

... For the Petitioners.

Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee

... For the State.

1. Considering the nature of the allegations levelled against the petitioners, the fact that the petitioners and the de-facto complainant are neighbors and the nature of injuries which would be evident from the Medical Report, we are of the view that custodial interrogation of the petitioners is not required.
2. We, accordingly, grant the application for anticipatory bail.
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) with two sureties each of like amount to the satisfaction of the Arresting Officer and also to comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall join the investigation and make himself available for questioning to the Investigating Officer once in a fortnight till completion of the investigation. The petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

The petitioner shall also not leave the local limits of the concerned police station without leave of the Investigating Officer.

4. The application for anticipatory bail being CRM(A) 179 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)