

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

12.03.2024

Court No.1
Item.108
(Srimanta)

CRM(A) 180 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Boxirhat Police Station Case No. 270/2023 dated 09.07.2023 under Sections 448/365/325/326/307/506/34 of the Indian Penal Code corresponding to GR Case No. 700/2023.

And

In the matter of: **Hiren Bir & Ors.**

. . .Petitioners.

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha

... For the petitioners.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil

...For the State.

1. Admittedly, the principal accused has been enlarged on bail by the learned Additional Chief Judicial Magistrate, Tufanganj. The 5 petitioners before us were part of the group which allegedly entered the house of the de facto complainant. Apart from the above, custodial interrogation of the petitioners is not required since charge-sheet has also been filed on 31st December, 2023. We also informed that 5 of the 15 co-accused have also been enlarged on bail.

2. We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners shall cooperate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
3. The application for anticipatory bail being CRM (A) 180 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)