

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

14.03.2024
Court No.1
(99)
(AK)

CRM(A) 189 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No. 349 of 2023 dated 09.07.2023 under Sections 143/326/307/302/34 of the Indian Penal Code.

And

In the matter of: **Ganesh Mahanta & Ors.**

. **Petitioners.**

Ms. Srishti Sarkar

... For the Petitioners.

Mr. Abhijit Sarkar
Mr. Sourav Ganguly

... For the State.

1. From the submissions made on behalf of the parties, it is clear that the petitioners before us stand on the same footing as *Sujoy Mahanta* who was granted anticipatory bail by a coordinate Bench on 31st January, 2024.
2. We are also informed that the petitioner is not named in the FIR and several of the other accused persons have also been enlarged on bail. Moreover, chargesheet has been filed and investigation is complete.
3. We hence see no reason to differ from the view taken by the coordinate Bench in the case of *Sujoy Mahanta*.
4. We, accordingly, grant the application for anticipatory bail.
5. 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) each 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 petitioners shall join the investigation and

make themselves available for questioning to the Investigating Officer once in a fortnight till completion of the investigation. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever. The petitioners shall also not leave the local limits of the concerned police station without leave of the Investigating Officer.

6. The application for anticipatory bail being CRM(A) 189 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)