

22.04.2024
Court No.01
Item No. 185

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

Allowed

sg

CRM (A) 279 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tufanganj Police Station Case No. 224 of 2020 dated 15.06.2020 under Sections 188/186/332/353/506/34 of the Indian Penal Code.

And

In Re: **Rasidul Hoque & Ors.**

Petitioners

Mr. Hillol Saha Podder

For the Petitioners

Mr. Tapan Bhattacharjee

Mr. Arjun Chowdhury

For the State

1. It is submitted on behalf of the petitioners that considering the fact that investigation has already been completed, the instant application for anticipatory bail may be considered favourably.
2. The learned Counsel for the State, however, opposes such prayer.
3. On perusal of the entire materials as placed before us, it reveals that the charge sheet has already been submitted. Therefore, the custodial interrogation of the present accused petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure to the satisfaction of learned ACJM, Tufanganj in connection with GR Case No. 285 of 2020.

5. However, we direct the seven accused petitioners to appear before the learned Trial Court within a period of fortnight from the date of passing of the order, failing which, the jurisdictional Magistrate shall have the authority to issue fresh non-bailable warrant of arrest against them.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 279 of 2024 is, thus, disposed of.
8. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Soumen Sen, J)

(Partha Sarathi Sen, J)