

22.04.2024
SL No.196
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 299 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Boxirhat Police Station Case No.67 of 2024, dated 17.02.2024 under Sections 341/332/333/353/307/186/506 and 34 of the Indian Penal Code.

And

In the matter of : **Prabhat Barman & Ors.**

- Petitioners.

Mr. Arijit Ghosh

... For the Petitioners.

Mr. Kallol Acharjee,

Mr. Kallol Nag

... For the State.

1. Heard.
2. It is submitted on behalf of the petitioners that the present case is the outcome of a political rivalry wherein the present accused petitioners have been falsely implicated.
3. While opposing the prayer for anticipatory bail, learned Counsel for the State draws our attention to the injury report of the victim as available in the C.D.
4. On perusal of the entire materials as placed before us including the injury report of the victim it does not transpire to us that the injury of the victim attracts the provision of Section 307 I.P.C. at least prima facie.

Accordingly, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of their arrest, the present accused/petitioners, namely, **Prabhat Barman, Ramkrishna Das and Kandu Adhikary @ Kabu Adhikari @ Kanu Adhikary**, be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioners shall meet the Investigating Officer of this case once in a week till submission of the final report.
6. The application for anticipatory bail is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)