

24.04.2024
Court No.01
Item No. 22
Allowed

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

ar

CRM (A) 340 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Alipurduar Police Station Case No. 178 of 2023 dated 22.5.2023 under Sections 341/324/325/326/379/307/506/34 of the Indian Penal Code.

And

In Re: **Dabajati Das @ Debajati Roy & Anr.**
Petitioners

Mr. Arnab Saha

For the Petitioners

Mr. Ujjwal Luksom
Ms. Namrata Das

For the State

1. Heard the learned advocates for the parties.
2. On perusal of the entire materials of the C.D, specially the injury report of the victim, we find that the injuries suffered by the victim are superficial in nature.
3. In view of such, we are inclined to grant anticipatory bail to the present accused petitioners.
4. Accordingly, we direct that in the event of arrest, the petitioners viz. Dabajati Das @ Debajati Roy and Subhradip Roy @ Papai @ Subhradip Das shall 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 learned Chief Judicial Magistrate, Alipurduar. It is further ordered that the present accused petitioners shall remain present before the learned Trial Court within fortnight from today and shall not intimidate the witnesses and/or tamper with evidence

and/or commit any cognizable offence and/or create pressure or inducement and/or threat the witnesses in any manner whatsoever in course of the trial.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

7. CRM (A) 340 of 2024 is, thus, disposed of.

8. 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)