

24.04.2024
Court No.01
Item No. 23
Allowed

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

ar

CRM (A) 341 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with C.R Case No. 1082 of 2023 correspondent to POR No. 30/BNT of 2023-2024 dated 11.9.2023 under Sections 26(1) of Indian Forest Act, 1927 with Section 3 of the Public Property (Prevention of Damage) Act.

And

In Re: **Dilip Tamang & Anr.**

Petitioners

Mr. Arijit Ghosh

For the Petitioners

Mr. Aditi Shankar Chakraborty, learned APP

For the State

1. Heard the learned advocates for the parties.
2. On perusal of the entire materials placed before us it reveals that admittedly some incriminating materials were seized from the apprehended co-accused persons and when the co-accused persons have been chased, the present accused petitioners fled away.
3. Considering the nature of crime and considering the quantum of punishment, we are inclined to grant anticipatory bail to the present accused petitioners.
4. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The

petitioners shall meet the Investigating Officer twice in a week till the final report is filed and shall not leave the territorial jurisdiction of the learned Trial Court except with the permission of the learned Trial Court till submission of the final report.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 341 of 2024 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)