

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

03.07.2024
Court No.1
(D/L 21)
(allowed)

CRM (A) 435 OF 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Siliguri Police Station Case No.518 of 2024 dated 01.06.2024 under Sections 143/332/353/188/506/34 of the Indian Penal Code,1860 and read with Sections 3 and 4 of the Prevention of Damage to the Public Property Act, 1984 corresponding to G.R. Case No. 1900 of 2024.

And

In the matter of: **Mohua Bose Trafder @ Tarafdar & Ors.**
... Petitioners.

Mr. Janardhan Periwal
Mr. Abhilash Mittal

... for the petitioners.

Mr. Saikat Chatterjee
Mr. Sanjiv Das

... for the State.

Petitioners pray for anticipatory bail.

Learned counsel for the petitioners submits that the petitioners are falsely implicated.

Learned counsel for the petitioners further submits that the principal accused has already been granted bail by the ld. ACJM, Siliguri.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

After perusal of the case diary including statements recorded under Section 161 of the Criminal Procedure Code as well as injury report, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners be granted bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and the petitioners shall meet with the investigating officer of the concerned Police Station once in a week until conclusion of investigation and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. In default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The application for anticipatory bail is, accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)