

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

**02.07.2024**  
**Court No.1**  
**(D/L 46 )**  
**(Allowed)**

**CRM (A) 476 OF 2024**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No.430 of 2021 dated 20.08.2021 under Sections 341/323/326/307/120B/34 of the Indian Penal Code,1860 read with section 25(1A) / 27 of the Arms Act and Sections 3/4 Explosives Substances Act and corresponding to G.R. Case No. 464 of 2021.

And

In the matter of: **Jamser Ali & Anr.**

**... Petitioners.**

Mr. Surojit Basu  
Mr. Ratan Chandra Roy  
Mr. Sayantan Bhowmik

... for the petitioners.

Mr. Ujjwal Luksom  
Mr. Chattu Roy

... for the State.

Learned counsel appearing for the petitioners submits that the incident was an outcome of the political rivalry between two groups. About forty persons were named in the FIR. Most of them have been granted bail. On 04.07.2023 Dinanath Barman and others were also granted bail on the same footing.

We have seen the material in the case diary produced by the learned counsel for the State. On the aforesaid submissions and the facts and circumstances of the case and nature of gravity of the offence as well as the incident of possible complicity of the petitioners in the alleged offence, we are of the view that the custodial

interrogation of the petitioners is not necessary so long as he cooperate with the Investigating Officer. Accordingly, we are inclined to grant anticipatory bail to the petitioners. 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 Rs.2,500/- amount each, to the satisfaction of the arresting officer and the petitioners shall meet with the investigating officer of the concerned Police Station ones in a month 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.)**