

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

**09.07.2024**  
**Court No.1**  
**(D/L 9 )**  
**(Allowed)**

**CRM (A) 477 OF 2024**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 03.05.2024 in connection with Haldibari Police Station Case No. 29 of 2024 dated 03.02.2024 under Sections 341/323/325/326/379/506/34 of the IPC corresponding to G.R. Case 138 of 2024.

And

In the matter of: **Balai Roy & Ors.**

**... Petitioners.**

Mr. Subhasish Misra  
Mr. Satyajit Paul

...for the petitioners.

Mr. Nilay Chakraborty, ld. APP  
Mr. Tapan Bhattacharjee

...for the State.

Learned counsel appearing for the petitioners submits that the alleged F.I.R. has been written in a concocted and revengeful manner to drag the petitioners into a false criminal case because of some business rivalry amongst the petitioners and the de-facto complainant.

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

We have perused the case diary more specifically, the injury report. Possibility of the false implication of the petitioners owing to enmity cannot be ruled out.

Under such circumstances, we are of the opinion that custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the investigating officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioners shall appear on every date of hearing before the jurisdictional Court until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. 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.)**