

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

04.07.2024
Court No.1
(D/L 17)
(allowed)

CRM (A) 493 OF 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dhupguri Police Station Case No.134 of 2024 dated 29.03.2024 under Sections 448/324/325/326/307/354/506/34 of the Indian Penal Code,1860 corresponding to G.R. Case No. 1518 of 2024.

And

In the matter of: **Harimohan Roy**

... Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Sayantani Das

... for the petitioner.

Mr. Ujjawal Luksom
Ms. Namrata Das

... for the State.

Petitioners pray for anticipatory bail.

Learned counsel for the petitioner submits that there is a land dispute of ancestral properties and the de-facto complainant has lodged a false complaint.

Learned counsel for the petitioner further submits that the petitioner has lodged a complaint prior to the complaint filed by the de-facto complainant in this case.

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

Perused the case diary including the injury report. From the injury report it is seen that the classification of injury is not grievous.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner 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 petitioner 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 petitioner 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.)