

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

12.07.2024
Court No.1
(D/L 10)
(Allowed)

CRM (A) 505 OF 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 26.06.2024 in connection with Sahebganj Police Station Case No. 258 of 2024 dated 27.04.2024 under Sections 341/323/325/307/379/506/34 of the Indian Penal Code.

And

In the matter of: **Sahadat Alam @ Sahadut Miah @
Sahadut Alam & Anr.**

... Petitioners

Mr. Hillol Saha Poddar

... for the petitioners

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

...for the State

Learned counsel appearing for the petitioners submits that the petitioners were neither present at the place of occurrence nor had any knowledge on any manner of involvement of the alleged incident and they have been falsely implicated in this instant case.

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

We have considered the case diary including the injury report and the statements recorded under Section 161 of the Criminal Procedure Code. Under such circumstances, we are of the opinion that custodial interrogation of the petitioners are not necessary and the petitioners may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners be granted 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 the petitioners shall appear before the investigating officer once in a week till the conclusion of the investigation and on further condition that the petitioners shall appear before the trial court on each and every date of hearing 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 being CRM (A) 505 of 2024 for anticipatory bail is, accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)