

12.08.2024.

Item No. 20

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 511 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 12.07.2024 in connection with Jaldhaka Police Station Case No. 12 of 2010 dated 28.05.2010 under Sections 120B/307/325 of the Indian Penal Code.

And

In the matter of: **Satya Ranjan Biswas @ Satyaranjan Biswas.**
...petitioner

Mr. Hillol Saha Podder. ...For the petitioner

Mr. Kallol Acharjee,
Ms. Namrata Das.For the State

1. The application for anticipatory bail is canvassed on the ground that the injury report indicates that the offences as mentioned in the FIR and charge-sheet are not made out.

2. Injury report indicates that the petitioner hit the victim by hand while jostling with each other to get a position at Samsing View Point at Darjeeling.

3. The injuries are very minor and in the nature of pain and swelling in the forehead.

4. Having regard to the facts and circumstances of the case and considering the materials in the case diary, this Court is of the view that the petitioner is entitled to anticipatory bail.

5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.500/-, with one surety of like amount.
6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.
7. The Case Diary be returned.
8. C.R.M. (A) No. 511 of 2024 is, thus, disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)