

13.08.2024.

Item No. 27

Court No.1

ap

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

C.R.M. (A) No. 530 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 16.07.2024 in connection with Bhaktinagar Police Station Case No. 358 of 2024 dated 27.04.2024 under Sections 341/325/326/374/506/34 of the Indian Penal Code.

And

In the matter of: **Hiramba Barman @ Hiramba Roy.**

Petitioner

Ms. Suman Sehanabis (Mandal),

Ms. Anwesh Chakraborty.

...For the petitioner

Mr. Abhijit Sarkar,

Mr. Sourav Ganguly.

....For the State

1. The application for anticipatory bail is made on the ground that the co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court on 14th June, 2024 in C.R.M. (A) No. 448 of 2024 and C.R.M. (A) No. 436 of 2024 respectively.

2. It appears from the complaint that the petitioner and other co-accused persons went to demand commission for sale of marble out of the complainant's showroom.

3. Upon refusal it is alleged that the petitioner and the co-accused persons assaulted the complainant.

4. This Court finds from the injury reports that except one, the other two injuries are simple in nature.

5. Having regard to the facts and circumstances of the case and that there is no specific allegation against the

petitioner and in view of the fact that when other two co-accused persons have already granted anticipatory bail by a Co-ordinate Bench of this Court, this Court is inclined to allow the prayer for anticipatory bail of the petitioner.

6. 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.5,000/-, with two sureties of Rs.2,500/- each, one of whom must be local.

7. 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.

8. The Case Diary be returned.

9. C.R.M. (A) No. 530 of 2024 is, thus, disposed of.

10. 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.)