

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

01.10.2024
20
S.D.
Allowed

C.R.M.(A) 736 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dinhata** Police Station Case No. **397** of **2024** dated **11.07.2024** under Sections 126(2)/115(2)/117(2)/118(2)/109/3(5) of the B.N.S., 2023.

And

In Re : Sri Jiban Barman & Ors.

..... petitioners

Mr. Rajdeep mazumder

Mr. Avrojoyti Das

Mr. Moyukh Mukherjee

....for the petitioners

Mr. Kallol Acharjee

Mr. Dhiman Sil

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, petitioners were falsely implicated due to political rivalry.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the injury report of the injured.

Apparently, one person suffered injury.

Learned advocate appearing for the State draws the attention of the Court to the x-ray report of the injured forming part of the case diary made available to him by the Investigating Officer who is present in Court. The x-ray report is dated July 31, 2024 while the date of the incident is July 11, 2024. Moreover, the injury report as on date is not forming part of the

case diary. Injured did not record any statement before the police.

The initial medical examination report does not suggest any fracture.

In such circumstances, we grant anticipatory bail to the petitioners.

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 also be subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on further condition that the petitioners will meet with the investigating officer once a month till the conclusion of the investigation. The petitioners shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

