

**In the High Court At Calcutta
Jalpaiguri Circuit Bench**

CRM (A) 796 of 2024

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Ghoskadanga Police Station** Case No. **602 of 2023** dated **01.12.2023** under Sections **341/323/324/326/307/354/506/34** of the Indian Penal Code.
- A n d -

In the matter of : Lokman Hakim & Ors.

.... Petitioners.

Mr. Hillol Saha Poddar,
Ms. Mousumi Das,

... For the Petitioners.

Mr. Abhijit Sarkar,
Mr. Sourav Ganguly,

... For the State.

Order dictated by Biswaroop Chowdhury, J.:

1. Learned Advocate for the petitioners and learned Advocate for the State are present.
2. Heard learned Advocate for the parties. Perused the materials in the case diary.
3. Learned Advocate for the petitioners submits that there is a civil dispute between the petitioners and the defacto complainant and the allegation made against the petitioners is not maintainable.
4. Learned Advocate for the State objects to the grant of anticipatory bail and draws our attention to the injury report.
5. Upon perusal of the injury report and statements of witnesses of the village, we find that there are allegations against the petitioners but the statement of the injured person is not recorded by the Investigating Officer.

6. Thus, considering the fact that charge sheet has already been submitted, there is no scope for further custodial interrogation of the petitioners. Their prayer for anticipatory bail is allowed.

7. Accordingly, in the event of arrest, the petitioners, namely, **Lokman Hakim, Noor Islam and Md. Nazrul Islam**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioners shall report to the Officer in Charge of the concerned Police Station once in a fortnight until further orders.

8. In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

9. CRM (A) 796 of 2024 is, thus, disposed of.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)