

28.11.2024
SI No.35
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 920 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS in connection with **Dinhata** Police Station Case No. **541/2024** dated **08.10.2024** under Sections **329(3)/117(2)/118(2)/109(1)/351(2)/3(5)** of the BNSS.

And

In Re: **Indrajit Debnath and others**

... .. Petitioners

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Abhijit Chanda
Ms. Keya Sarkar

... for the petitioners

Mr. Abhijit Sarkar
Mr. Sourav Ganguly

... .. for the State

1. The petitioners pray for pre-arrest bail. Learned counsel for the petitioners submits that there is a case and counter case. The parties are related to each other. The dispute relates to cutting of bamboo.
2. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioners.
3. Upon hearing the parties and upon perusal of the materials in the case diary, this court finds that there is a case and counter case. Considering all these aspects, we are of the view that custodial interrogation of the petitioners is not necessary and the benefit under Section 482 of the BNSS

can be extended to the petitioners to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the investigating officer once in a week until further orders.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)