

02.12.2024
SI No.80
s.biswas
(Allowed)

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

CRM (A) 951 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Birpara** Police Station Case No. **120/2023** under Section **147/148/149/186/353/307/379/436/204/120B** of the IPC read with Section **3** of the Prevention of Damage to Public Property Act and Section **9** of the West Bengal Maintenance of Public Order Act.

And

In Re: **Chotelal Oraon @ Chotelal Indwar and others**

... .. Petitioners

Mr. Arijit Ghosh
Ms. Angana Rakshit

... for the petitioners

Mr. Abhijit Sarkar
Mr. Dhiman Shil

... .. for the State

1. Liberty is granted to the petitioners to correct the name of the petitioner no.1.
2. The petitioners pray for grant of anticipatory bail on the ground that they were falsely implicated by the police officers when they raised a protest by demanding justice for the alleged murder of one Manoj Lohar. .
3. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioners.
4. Considering the materials in the case diary and considering the roles allegedly played by the petitioners and as the investigation is complete and charge-sheet has been filed,

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.

5. 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 jurisdictional court. The petitioners shall appear before the jurisdictional court on the dates fixed, until further orders of the said court.
6. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)