

05.06.2023

Sl. 15

Court No. 12

Sourav/

Suvayan

(Allowed)

C.R.M. (A) 2108 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bhagwanpur** Police Station Case No. **107** of **2023** dated **05.03.2023** under Sections **143/307/323/325/341/379/427/506** of the Indian Penal Code, 1860.

And

In the matter of: **Sk. Mujid @ Mujid Ali & Anr.**

....petitioners.

Mr. Suman De

...for the petitioners.

Mr. S. S. Imam

Mr. R. Jana

...for the State.

Mr. Ashok Das

... for the defacto complainant.

1. Heard Mr. Suman De, learned Counsel for the petitioners and Mr. S. S. Imam, learned Counsel for the State and Mr. Ashok Das, learned Counsel for the defacto complainant.
2. The vokalatnama as filed by Mr. Das, learned Counsel for the defacto complainant is taken on record.
3. The present bail application being CRM (A) 2108 of 2023 arises out of Bhagwanpur Police Station Case No. 107 of 2023 dated 05.03.2023 under Sections 143/ 307/ 323/ 325/ 341/ 379/ 427/ 506 IPC.
4. Three persons are alleged to have sustained cut injuries in course of the transaction. One Sk. Ramjan (injured) is shown to have sustained cut injury of 2x1cm over occipital region of head. One Sk. Safiul (injured) is shown to have sustained cut injury of 1.5x1.5cm above right eye. One Sk. Rejjak (injured)

is shown to have sustained cut injury of 2cm at the middle of head. The C.T. Scan report in respect of the injured persons shows that there is no internal injury on any of the aforesaid persons.

5. Considered the materials placed by the learned Counsel for the parties including the injury report, statements of the injured persons and other witnesses.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of injury sustained by the injured persons and substantial progress in the investigation, it is directed that each of the petitioners shall be released on bail by the Arresting Officer in the event of their arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that i) each of the petitioner shall appear before the I.O once in a fortnight on the day and time fixed by the I.O and the aforesaid condition shall be in force till the submission of F.F.; ii) the petitioners shall not involve themselves in similar or any other criminal activity during the currency of this order; iii) they shall not threaten, induce, coerce any of the witnesses including the informant during the currency of this order.
7. Within 21 days of the receipt of server copy or certified copy of this order, each of the petitioner is directed to appear before the I.O along with a copy of this order.

8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2108 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

