

12.06.2023

Sl. 77

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2114 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Matia** Police Station Case No. **166/2022** dated **09.05.2022** under Sections **447/341/323/325/308/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Rakesh Ray @ Rakesh Roy**

....petitioner.

Mr. Satadru Lahiri

Mr. Safdar Azam

...for the petitioner.

Mr. P. K. Datta, APP

Mr. Santanu Deb Roy

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by learned Counsel for the parties including the statement of witnesses and the injury report.
3. Injury sustained by the victim is not serious in nature *prima facie*. Charge-sheet is stated to have been filed.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and completion of investigation, it is directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Basirhat, North 24 Parganas within 15 days from today in connection with Matia P.S. case No. 166 of 2022 dated 09.05.2022. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. Within three weeks of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before

the I.O. along with a copy of such order.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2114 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

