

09.06.2023

Item no. 22

Ct.29

(Suvendu)

C.R.M. (A) No.2185 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Goghat Police Station Case No.79 of 2023 dated 10.03.2023 under Sections 448/186/332/326/307/506/427/353 of the Indian Penal Code.

And

In the matter of:- Sahabuddin Khan Petitioner

Mr. Tapas Kumar Ghosh
Mr. Tanmay Chowdhury

.. for the petitioner

Mr. Madhusudan Sur
Mr. Manoranjan Mahata

..for the State

1. Heard learned Counsel appearing for the parties.
2. It is fairly submitted by the bar that from the injury report no offence under Sections 326/307 IPC is *prima facie* made out but learned counsel appearing for the State is very much persuasive and anxious about the conduct of the petitioner in assaulting a public officer.
3. Considering the materials placed by learned counsel appearing for the parties including the statements of the witnesses and the injury report submitted by the learned counsel for the State, investigation is stated to have progressed substantially.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, question of parity and substantial progress in the

investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that the petitioner shall appear before the I.O. once in every alternate day and time fixed by the I.O. till the submission of F.F.

5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **C.R.M. (A) 2185 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

