

12.06.2023

Sl. 83

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2194 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kandi** Police Station Case No. **121** of **2023** dated **08.03.2023** under Sections **341/325/308/34** of the Indian Penal Code, 1860.

And

In the matter of: **Rubina Bibi & Anr.**

....petitioners.

Mr. Manas Kumar Das

Mr. Aritra Kumar Thokdar

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP

Ms. Faria Hossain

Ms. Mamata Jana

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioners are alleged to have assaulted the victim by 'bamboo lathi'. The injury report prepared by the medical officer of Gokarna, BPHC, Murshidabad shows that the victim was assaulted by a sharp cutting weapon and had sustained grievous injury on head and face. On the same day, the injury report prepared by Murshidabad Medical College and Hospital, Behrampore, Murshidabad is indicative of the fact that there was only poly-trauma sub-tissue injury with laceration. The injury as found on the person of the victim is not serious in nature though on head. Charge-sheet is stated to have been filed in the meantime.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of injury sustained by the victim and completion of investigation in the meantime, it is directed that the each of the petitioner shall

appear before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad, in Connection with Kandi Police Station Case No. 121 of 2023 dated 08.03.2023.

4. Within 15 days from today on their appearance and application for bail each of 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 by the learned Magistrate, Kandi, Murshidabad.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2194 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

