

19.06.2023
Sl. 158
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2270 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Nakashipara** Police Station Case No. **265 of 2023** dated **05.04.2023** under Sections **376/511/323/34** of the IPC.

And

In the matter of: **Swarajit @ Satyajit Mondal**

....petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. Sudip Kumar Ghosh

...for the State.

Mr. Manas Kumar Das

Mr. Aritra Kumar Thokdar

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The complainant is the wife of the paternal cousin of the victim. Considered the materials placed by learned Counsel for the parties. There are materials to show that there is consistent dispute between the family over some property. The allegation made against the petitioner is one of attempt.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, substantial progress in the investigation and nature of allegation as made out from the statement of the victim, 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 in connection with Nakashipara P.S. case No. 265 of 2023 dated 05.04.2023.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

5. Within 3 weeks of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O. alongwith a copy of such order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2270 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

