

**19.06.2023**  
Sl. 159  
Court No. 29  
Suvayan  
(Allowed)

**C.R.M. (A) 2271 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Englishbazar** Police Station Case No. **531 of 2023** dated **06.04.2023** under Sections **341/323/326/506** of the IPC (G.R. Case No. **2109 of 2023**).

And

In the matter of: **Gunadhar Saha**

....petitioner.

Mr. Kazi M. Rahman

...for the petitioner.

Mr. Sourindra Mahapatra

Mr. Subham Bhakat

...for the State.

1. Heard learned Counsel for both the parties.
2. The victim is stated to have suffered a simple injury on his right chick. In view of such fact, no *prima facie* offence under Section 326 IPC is made out against the petitioner. Our view is, however, tentative one and learned Trial Court is directed not to persuade himself with such finding either at the time of consideration of charge or during trial.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner 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 in connection with G.R. Case No. 2109 of 2023 arising out of Englishbazar P.S. case No. 531 of 2023 dated 06.04.2023.
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) 2271 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**



