

19.06.2023
Sl. 162
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2274 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gopalnagar** Police Station Case No. **577 of 2022** dated **16.10.2022** under Sections **448/325/427/308/506/34** of the IPC.

And

In the matter of: **Kutubuddin Mondal**

....petitioner.

Mr. Arnab Chatterjee

...for the petitioner.

Mr. Arijit Ganguly
Mr. Avik Ghatak

...for the State.

1. Heard learned Counsel for both the parties.
2. The victim is stated to have sustained a simple injury.
Charge-sheet is stated to have been filed in the meantime.
From the materials on record and the injury report, we do not find a *prima facie* case under Section 308 IPC.
3. Our opinion is, however, tentative and learned Court below is requested not to be influenced by the observation.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and filing of charge-sheet, it is directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas within 15 days from today in connection with Gopalnagar P.S. case No. 577 of 2022 dated 16.10.2022. 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. The learned Additional Chief Judicial Magistrate is directed to act on the server copy of this order.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2274 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

