

21.06.2023

Sl. 176

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2276 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kharagpur Local** Police Station Case No. **482 of 2023** dated **01.06.2023** under Sections **498A/323/325/307/506/34** of the IPC.

And

In the matter of: **Kishor Bhanja & Anr.**

....petitioners.

Mr. Sayan Kanjilal

Mr. Sattik Rout

...for the petitioners.

Mr. Debabrata Chatterjee

Mr. Mirza Firoj Ahmed Begg

Mr. M. Sarkar

...for the State.

1. Heard learned Counsel for both the parties.
2. Suspecting the extra marital relationship between the petitioner No. 1 and the petitioner No. 2, the victim informant made allegation in the Police Station against her husband (petitioner No.1). There has been also fight between the parties in which petitioner No. 2 had sustained injury by assault of the victim informant and the injury report is Annexure – B of the present petition. The victim wife is alleged to have sustained injury by punch blow of her husband. Investigation is stated to have been progressed substantially and 18 years have passed in the meantime after the marriage of petitioner No. 1 and the victim wife.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, non-requirement of custodial interrogation and substantial progress in the investigation, it is directed that each of the petitioner shall be

released on bail by the Arresting Officer in the event of their arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Kharagpur Local P.S. case No. 482 of 2023 dated 01.06.2023.

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 petitioners are 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) 2276 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

