

04.07.2023

Sl. 7

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2296 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **50** of **2023** dated **16.02.2023** under Sections **448/323/325/376/511/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Matiur Rahaman & Ors.**

....petitioners.

Ms. Reshmi Mukherjee

Mr. Ashok Halder

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP

Ms. Syanti Santra

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the injury report in respect of two victims.
3. It is opined that both the victims had sustained injury which seems to be grievous but there is no definite opinion to the effect that the injury as sustained by them are actually grievous.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and substantial progress in the investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Itahar Police Station Case No. 50 of 2023 dated 16.02.2023, including the condition that i) each of the petitioner shall appear before the I.O. once in a week on

the day and time fixed by the I.O. till submission of F.F. ii) they shall not threaten, induce or coerce any witness of this case including the victims in any manner whatsoever during the currency of this order.

5. Within 21 days of the receipt of server copy or certified copy of this order, the petitioners are directed to appear before the I.O along with a copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2296 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

