

04.07.2023

Sl. 10

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2301 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **193** of **2023** dated **14.04.2023** under Sections **341/323/326/307/379/34** of the Indian Penal Code, 1860.

And

In the matter of: **Hiranmay Samanta & Anr.**

....petitioners.

Mr. Amal Krishna Samanta

...for the petitioners.

Mr. Abhra Mukherjee

Mr. Goutam Banerjee

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the injury report in respect of the victim.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, injury sustained by the victim and the statement of the witnesses do not *prima facie* make out a case under Section 307 IPC (our observation is tentative and the learned trial Court is requested not to be influenced by them), 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 Kolaghat Police Station Case No. 193 of 2023 dated 14.04.2023, 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 in this case

including the victim in any manner whatsoever during currency of this order.

4. 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2301 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

