

21.06.2023  
(D/L 189)  
Ct. No.29  
Allowed  
(SKB)

**CRM (A) 2324 of 2023**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Manikchak Police Station Case No. 258 of 2023 dated 25.04.2023 under Sections 448/323/325/427/326/34 of the Indian Penal Code.

In the matter of : Ratan Mahaldar

... Petitioner

Mr. Sujay Sarkar,  
Mr. Musharraf Alam Sk.,  
Ms. Susmita Ghorai

... for the petitioner

Mr. Anowar Hossain,  
Ms. Ratna Ghosh

... for the State

1. Heard the learned Counsel for the petitioner as well as for the State.
2. Perused the entire materials as placed before this Court.
3. On perusal of the entire materials of the case diary including the injury reports of the victim, statements of the witnesses recorded so far as well as other materials, it does not appear to us to that any offence under Section 326 of the IPC is made out at least prima facie at this stage.
4. Considering the facts and circumstances of this case and keeping in mind that this is not a fit case for custodial interrogation and keeping in mind the substantial

progress in the investigation, this court is inclined to allow the anticipatory bail.

5. It is ordered that each of the petitioner in the event of arrest by the Arresting Officer shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Manikchak Police Station Case No. 258 of 2023 dated 25.04.2023 including the conditions that i) the petitioner shall appear before the I.O. for the purpose of investigation once in a fortnight on the day and time fixed by the I.O. ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
6. Within 21 days from today the petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM(A) 2324 of 2023 is disposed of.
9. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

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

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