

21.06.2023

Sl. 192

Court No. 29

sdas

(Allowed)

C.R.M. (A) 2327 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Balurghat Police Station Case No. 244 of 2023 dated 31.03.2023 under Sections 341/323/325/307/354/506/34 of the Indian Penal Code.

And

In the matter of: **Mithun Barman**

....petitioner.

Ms. Busra Khatoon

...for the petitioner.

Mr. Tanmay Kumar Ghosh

Ms. Sonali Bhar

...for the State.

1. Heard the learned Counsel for the parties at length. Perused the entire materials as placed before this Court.
2. On perusal of the entire materials as available in the Case Diary especially the photocopy of the written complaint, the statements of the witnesses as recorded under Section 161 of the Code of Criminal Procedure and the injury report of the victim and also considering the fact that charge-sheet has already been submitted, it appears to us that custodial interrogation of the present petitioner/accused is no more necessary.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, completion of investigation in the meantime, petitioner is directed to appear before the learned Chief Judicial Magistrate, Balurghat, in connection with G.R. Case arising out of Balurghat Police Station Case No. 244 of 2023 dated 31.03.2023 within 15 days from today. On his appearance

and application for bail petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 2327 of 2023** is disposed of.
6. Learned Chief Judicial Magistrate, Balurghat, is directed to act on the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

