

21.06.2023

Sl. 191

Court No. 29

sdas

(Allowed)

C.R.M. (A) 2326 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Labpur Police Station Case No. 50 of 2023 dated 11.04.2023 under Sections 498A/323/325/307 of the Indian Penal Code.

And

In the matter of: **Rahamat Sekh @ Sk. Rahamat**

....petitioner.

Mr. Sabir Ahmed
Ms. Suman Biswas
Mr. Dhiman Banerjee

...for the petitioner.

Mr. Binay Panda
Mr. Puspita Saha

...for the State.

1. Heard the learned Counsel for the parties at length. Perused the entire materials placed before this Court.
2. On perusal of the entire materials of the Case Diary especially the statements of the witnesses as recorded under Section 161 of the Code of Criminal Procedure and the injury report of the victim it does not transpire to us that prima facie injuries of the victim is not sufficient to attract the provision of Section 307 of the Indian Penal Code. It further appears to us that the present case is an outcome of matrimonial dispute where chance of amicable settlement is always there.
3. Regard being had to such facts and submissions and considering every pros and cons of this matter, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Labpur Police Station Case No. 50 of 2023 dated 11.04.2023
4. Accordingly, the prayer for the anticipatory bail is allowed.

5. The application being **CRM (A) 2326 of 2023** is disposed of.

5. Within 21 days of receipt of server copy or certified copy of this order petitioner is directed to appear before the investigating officer along with copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

