

17.07.2023

SL. 7

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2394 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Belur** P.S. Case No. **78 of 2023** dated **07.04.2023** under Sections **341/354/354B/506/34** of the IPC and Section **8** of the POCSO Act pending before the learned CJM, Howrah.

And

In the matter of: **Ruby Samanta & Ors.**

....petitioners.

Mr. Milon Mukherjee, Sr. Adv.

Mr. Soumya Basu Roy Chowdhuri

...for the petitioners.

Mr. Saibal Bapuli, APP

Ms. Sayanti Santra

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Sections 164 Cr.P.C. Admittedly the occurrence happened following a property dispute. Charge-sheet is stated to have been filed.
3. Learned Senior Counsel for the petitioners submits that the petitioners are complying with the notice/notices issued to them under Sections 41A Cr.P.C.
4. Regard being had to facts and submissions, factum of permanent residence of the petitioners and completion of investigation, it is directed that each of the petitioner shall appear before the learned Chief Judicial Magistrate, Howrah within 15 days from today in G.R. case arising out of the Belur P.S. Case No. 78 of 2023. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. The learned Chief Judicial Magistrate is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2394 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

