

13.07.2023
ML. 22
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2413 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bankura** Police Station Case No. **153 of 2023** dated **24.04.2023** under Sections **341/325/326/379/324/34** of the IPC.

And

In the matter of: **Pradip Singha @ Pradip Kumar Singha & Anr.**
....petitioners.

Mr. Subhabrata Chowdhury

...for the petitioners.

Mr. Saibal Bapuli, APP

Mr. Arijit Ganguly

Mr. Sanjib Kr. Dan

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are alleged to have assaulted the victim, viz., Tapan Singha by lathi, iron rod and katari. From the injury report it is found that 'katari' has not been used. The aforesaid patient was admitted in the hospital on 23.04.2023 and he was discharged on 28.04.2023 and from the discharge certificate it is found that he was suffering from fracture of right shaft radius which according to us is not a vital part of the body, though *prima facie* offence under Section 326 IPC is made out against the petitioners. Investigation is stated to have progressed substantially.
3. There is stated to be case and counter case between the parties.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of injury as discussed (Supra) and social status of the petitioners, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest on such terms and conditions as deemed just and proper in the facts

and circumstances of the case in the aforesaid P.S. case including the conditions that i) each of the petitioner shall appear before the I.O. once in a fortnight 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 of this case in any manner whatsoever during the currency of this order.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioners shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2413 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

