

17.07.2023
ML. 58
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2452 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **318** of **2023** dated **17.03.2023** under Sections **341/325/308/34** IPC pending before the learned CJM, Berhampore, Murshidabad.

And

In the matter of: **Hasina Bibi @ Kanu Bibi & Anr.**

....petitioners.

Mr. Tapodip Gupta

...for the petitioners.

Mr. Joydip Roy
Mr. Amanul Islam

...for the State.

1. Heard learned Counsel for the parties.
2. Charge-sheet is stated to have been filed in the meantime.
3. Considered the materials placed by the learned Counsel for the parties including the injury report, we do not find any *prima facie* case under Section 308 IPC (though our view is tentative on the basis of police papers).
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and completion of investigation in the meantime, it is directed that each petitioner shall appear before the learned Chief Judicial Magistrate, Berhampore, Murshidabad in G.R. Case arising out of the Berhampore Police Station Case No. 318 of 2023 within 15 days from today. On their appearance and application for bail they shall be released on bail on such terms and conditions as deemed just and proper in the facts

and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2452 of 2023** is disposed of.
7. Learned Chief Judicial Magistrate, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

