

25.07.2023
(D/L 06)
Ct. No.29
Allowed
(SKB)

CRM (A) 2456 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Pukhuria P.S. Case No.151 of 2023 dated 25.04.2023 under Sections 448/323/325/354/307/34 of the Indian Penal Code.

In the matter of : Ajijur Rahaman Mandal

... Petitioner

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Mr. Mofakkerul Islam,
Sk. Saidullah,
Mohammad Arsalan,
Mr. Mithun Mondal

... for the petitioner

Mr. Binay Pandal,
Mr. Subham Bhakat

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner, in course of the incident, is alleged to have pulled the sharee of the victim and assaulted her by fist blows. Injury sustained by the victim is opined to be simple in nature. The injuries sustained by the victim does not attract ingredients of Section 307 IPC at least *prima facie*.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of offence, nature of injury as discussed supra and substantial progress in investigation, it is directed that

the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case 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. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2456 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)