

17.07.2023
(M/L 87)
Ct. No.29
Allowed
(SKB)

CRM (A) 2482 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harish Chandrapur P.S. FIR No.350 of 2023 dated 22.04.2023 under Sections 498A/323/325/308/354B/494/506/379/34 of the Indian Penal Code.

In the matter of : Kazi Nazir Iqbal @ Kazi Najir
... Petitioner

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman,
Ms. Iqra Rahaman
... for the petitioner

Smt. Sreeparna Das
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is stated to be the husband of the victim informant. Considered the materials placed by the counsel for the parties including the statement of the victim and the injury report in respect of her.
3. From the injury report, we do not find any prima facie offence under Section 308 IPC. Investigation is stated to have progressed substantially.
4. Regard being had to the facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury sustained by the victim and substantial progress in the 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 including condition (i) the petitioner shall appear before the IO once in a fortnight on the day and time fixed by the IO till submission of Final Form. (ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

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. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 2482 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)