

18.07.2023
ML. 95
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2490 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **441** of **2023** dated **31.05.2023** under Sections **341/325/326/379** IPC.

And

In the matter of: **Aslam @ Shiltu Sk @ Sekh**

....petitioner.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Paramanick

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the witnesses as well as the victim and injury report in respect of the victim.
3. The injury sustained by the victim does not attract *prima facie* ingredients of Section 326 IPC as found from the police papers.
4. The investigation is stated to have progressed substantially.
5. Regard being had to the facts and submissions, factum of permanent residence of the petitioners, nature of injury as discussed supra 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 the conditions that (i) the petitioner is directed to appear

before the I.O once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.; (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2490 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

