

18.07.2023
ML. 96
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2491 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Malda** Police Station Case No. **92 of 2023** dated **25.02.2023** under Sections **188/308/325/341/427/506/34** of the IPC corresponding to G.R. case No. **1123 of 2023**.

And

In the matter of: **Mosidur Rahaman @ Mosidur & Anr.**

....petitioners.

Mr. Md. Wasim Akram

...for the petitioners.

Mr. S. Bapuli, APP

Ms. Sayanti Santra

...for the State.

1. Heard learned Counsel for both the parties.
2. The incident is stated to have arisen out of a civil dispute.

Two persons have sustained injuries and one of them having suffered extraction of two teeth, *prima facie* offence under Section 326 IPC is made out. The investigation is stated to have progressed substantially.

3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed (Supra) and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their 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 petitioners are 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 petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. 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) 2491 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

