

18.07.2023
ML. 100
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2495 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Balagarh** Police Station Case No. **233 of 2023** dated **25.05.2023** under Sections **341/326/307/34** of the IPC.

And

In the matter of: **Manik Das & Anr.**

....petitioners.

Ms. O. Chowdhury

Mr. D. Sur

...for the petitioners.

Mr. P. K. Datta, APP

...for the State.

1. Heard learned Counsel for both the parties.
2. From the injury report of the victim it is found that he had suffered fracture of his right tibia and some injury on the legs.

From the statement of the victim recorded under Section 161 Cr.P.C. it is found that one Uttam Das is the principal assailant who is alleged to have assaulted the victim with a piece of split wood. The present petitioners are stated to have assisted him. 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.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today each of the petitioner 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) 2495 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

