

01.08.2023
(D/L 24)
Ct. No.29
Allowed
(SKB)

CRM (A) 2501 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.60 of 2023 dated 11.02.2023 under Sections 447/323/325/313/34 of the Indian Penal Code vide G.R. Case No.358 of 2023.

In the matter of : Abdul Latib and others

... Petitioners

Mr. Santanu Deb Roy,
Mr. Dipankar Guha

... for the petitioners

Mr. Binay Panda,
Mr. Subham Bhakat

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the injury report. The injury report is clear to the extent that there has been no miscarriage. Therefore, offence under Section 313 IPC is not made out at least *prima facie*.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence 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 G.R. Case No.358 of 2023 arising out of 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 petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2501 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.)