

19.07.2023
(M/L 176)
Ct. No.29
Allowed
(SKB)

CRM (A) 2575 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bhutni P.S. Case No.158/2022 dated 22.08.2022 under Sections 341/325/326/307/379/411/506/34 of the Indian Penal Code and corresponding to GR No.5224 of 2022.

In the matter of : Sattat Sk @ Abdul Sattar and others
... Petitioners

Mr. Kalidas Saha
... for the petitioners

Mr. Imran ali,
Ms. Sutapa Banerjee
... for the State

1. Heard the learned Counsel for the parties.
2. It is fairly submitted by learned counsel for the petitioners that so far as the assault on the victim is concerned, some role of specific overt act has been attributed to petitioner no.5, Rahim Sk @ Abdul Rahim. So far as other petitioners are concerned, there is no allegation of specific overt act against them.
3. Learned counsel for the State admits such position.
4. Charge-sheet is stated to have been filed. Other co-accused are stated to have been released on bail in the meantime.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and completion

of investigation, it is directed that each of the petitioner shall surrender before the learned CJM, Malda in G.R. No.5224 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 2575 of 2023 is disposed of.
8. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)