

20.07.2023
(D/L 28)
Ct. No.29
Allowed
(SKB)

CRM (A) 2595 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Khargram P.S. Case No.182 of 2023 dated 24.05.2023 under Sections 341/325/326/307/34 of the Indian Penal Code.

In the matter of : Samirul Hoque @ Samu Sk and others
... Petitioners

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar
... for the petitioners

Mr. Avishek Sinha
... for the State

Mr. Arnab Sinha,
Mr. Amartya Basu
... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by the learned counsel for the parties, the statements of the witnesses recorded under Section 161 Cr.P.C. including the statement of the victim recorded under Section 164 Cr.P.C. In the injury report the victim is opined to have sustained fracture at lower end of Rt Tibia Fibula, which is not a vital part of the body. 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, genesis of events leading to the present

transaction, 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 condition that the petitioner no.1 is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission in Final Form and the petitioner nos.2 and 3 being ladies are directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset also till submission in Final Form.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 2595 of 2023 is disposed of.
6. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)