

20.07.2023
SL. 41
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2610 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Paikar** Police Station Case No. **154 of 2023** dated **01.06.2023** under Sections **448/323/325/308/506/34** of the IPC.

And

In the matter of: **Surol Dewan @ Dewan Surl & Anr.**

....petitioners.

Mr. Jahangir Hossain

...for the petitioners.

Mr. Sudip Kumar

...for the State.

1. Heard learned Counsel for both the parties.
2. One of the victim has suffered dislocation of right shoulder in the alleged assault by the petitioners with 'lathi'. We do not find any material to satisfy ingredients of Section 308 IPC 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, 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 i) the petitioners are directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form; 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 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) 2610 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

