

20.07.2023
(D/L 52)
Ct. No.29
Allowed
(SKB)

CRM (A) 2622 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Contai P.S. Case No.97/2023 dated 07.03.2023 under Sections 120B/307/323/325/379/448 of the Indian Penal Code.

In the matter of : Sk. Kased and others

... Petitioners

Mr. Biswajit Manna

... for the petitioners

Mr. Sudip Ghosh,
Mr. Kaushik Kundu

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the injury report in respect of the victim. It is fairly submitted at the Bar that the victim having sustained cut injury on his head had suffered five days of hospitalisation.
3. We are of the view that materials on record do not attract offence under Section 307 IPC or 326 IPC at this point in view of absence of bonny injury and 20 days or more days of hospitalisation.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, 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 conditions (i) the petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form and (ii) the petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2622 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.)