

03.08.2023
(D/L 08)
Ct. No.29
Allowed
(SKB)

CRM (A) 2626 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.96 of 2023 dated 07.03.2023 under Sections 120B/307/323/325/354/379/427/448 of the Indian Penal Code.

In the matter of : Sk. Abdul and others

... petitioners

Mr. Biswajit Manna

... for the petitioners

Mr. Nguive Ahmed, APP
Mr. Iqbal Kabir,
Ms. Jareen Khan

... 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 two victims. Injuries sustained by the victims do not attract offence under Section 307 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 injury sustained by the victims 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.
 - 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. 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) 2626 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.)