

25.07.2023
SL. 36
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2656 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mollarpur** Police Station Case No. **113 of 2020** dated **27.11.2020** under Sections **323/325/308/34** of the IPC.

And

In the matter of: **Azad Rahaman @ Md. Azad Rahaman & Anr.**
....petitioners.

Mr. Saptarshi Chakraborty

...for the petitioners.

Mr. N. P. Agarwala

Mr. P. Bose

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the injury report in respect of the victim who is opined to have sustained three simple injuries on his person which according to our considered opinion do not attract Section 308 IPC at this point 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 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 that i) the petitioners are directed 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 F.F.; 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) 2656 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

