

25.07.2023
(D/L 53)
Ct. No.29
Allowed
(SKB)

CRM (A) 2680 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No.17 of 2023 dated 15.01.2023 under Sections 436/506/34 of the Indian Penal Code.

In the matter of : Marmesh Kisku

... Petitioner

Mr. Mazhar Hossain,
Mrs. Mobashshara Alam

... for the petitioner

Mr. S. Mahapatra,
Mr. S. Bhakat

... for the State

1. Heard the learned Counsel for the parties.
2. There is no eyewitness to the occurrence. The circumstance is to the effect that prior to the occurrence, there was some altercation. Subsequently, the informant and other witnesses heard from others that the accused petitioner and another Jabamani Tudu burnt their house.
3. Charge-sheet is stated to have been filed.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Gangarampur, Dakshin Dinajpur in the G.R. Case No.43 of 2023 arising

out of the aforesaid P.S. case within 15 days from today.

On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2680 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)