

26.07.2023
(D/L 25)
Ct. No.29
Allowed
(SKB)

CRM (A) 2703 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.733 of 2023 dated 08.05.2023 under Sections 341/325/326/354/379/506/ 34 of the Indian Penal Code (G.R. Case No.2890 of 2023).

In the matter of : Soyeb Ali @ Soiab Ali @ Sayub
... Petitioner

Mr. Kallol Mondal,
Mr. Musharraf Alam
... for the petitioner

Mr. Joydeep Roy,
Mr. Amanul Islam
... for the State

1. Heard the learned Counsel for the parties.
2. It is fairly submitted at the Bar that the present petitioner is not the principal accused so far as assault on the victim is concerned. The victim has also not named the present petitioner in his statement under Sections 161 Cr.P.C. Victim is stated to have sustained dislocation of left shoulder joint.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the G.R. Case No.2890 of 2023 arising out of the

aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2703 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.)