

**07.08.2023**

ML. 32

Court No. 29

Sourav

(Allowed)

**C.R.M. (A) 2776 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gaighata** Police Station Case No. **1174** of **2021** dated **15.12.2021** under Sections **326/307/447/448/34** IPC (corresponding to G.R. Case No. 5126 of 2021).

And

In the matter of: **Uttam Das @ Uttam Kumar Das & Anr.**

....petitioners.

Mr. Arnab Chatterjee  
Ms. Dhanasree Biswas  
Ms. Poulami Bose

...for the petitioners.

Mr. P. K. Datta  
Mr. P. Ganguly

... for the State.

1. Heard learned Counsel for the parties.
2. The present case is stated to have arisen out of dispute between the brothers over property after the death of their father. The injury sustained by the victim is opined to be simple in nature as found from the injury report.
3. Charge-sheet is stated to have been filed in the meantime.
4. 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 completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas in G.R. Case No. 5126 of 2021 arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail they shall be released on bail 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) 2776 of 2023** is disposed of.
7. Learned Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas is hereby directed to act upon the server copy of this order, if required.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

