

07.08.2023
(D/L 53)
Ct. No.29
Allowed
(SKB)

CRM (A) 2807 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hogalberia P.S. Case No.124 of 2023 dated 27.05.2023 under Sections 341/323/326/506/34 of the Indian Penal Code.

In the matter of : Bibhash Biswas @ Bivas Biswas
... petitioner

Mr. Dipayan Kundu,
Mr. Asraf Mandal
... for the petitioner

Mr. Abhra Mukherjee,
Mr. Goutam Banerjee
... for the State

1. Heard the learned Counsel for the parties.
2. The transaction arises out of a land dispute. The occurrence happened when the petitioner was working in the land as submitted by the learned counsel for the petitioner.
3. The victim is stated to have sustained simple injury by a sharp cutting weapon at the base of his thumb.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra 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 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 petitioner is 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 petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

- 5. Accordingly, the prayer for the anticipatory bail is allowed.
- 6. 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.
- 7. The application being CRM(A) 2807 of 2023 is disposed of.
- 8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)