

08.08.2023
SL. 15
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2812 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Burwan** Police Station Case No. **243 of 2023** dated **26.06.2023** under Sections **340/324/308/34** of the IPC.

And

In the matter of: **Azad Mallick & Anr.**

....petitioners.

Mr. Pratip Kumar Chatterjee

...for the petitioners.

Mr. Saibal Bapuli, APP

Mr. Soumik Ganguli

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed before us including the injury report in respect of the victim. The injury is opined to be simple in nature and, therefore, does not attract offence under Section 308 IPC 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.
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) 2812 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

