

07.08.2023
(D/L 63)
Ct. No.29
Allowed
sdas

CRM (A) 2818 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Basirhat P.S. Case No.181 of 2023 dated 16.03.2023 under Sections 447/341/323/325/354B/307/379/34 of the Indian Penal Code.

In the matter of : Saddam Hossain Mondal @ Chabir Mistry & Anr.
... petitioners

Mr. Subrata Bhattacharyya
Mr. Soumen Sarkar
Ms. Dipa Bhattacharya
Ms. Shipra Santra

... for the petitioners

Md. Anwar Hossain
Ms. Sreyashee Biswas

... for the State

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha

... for de facto complainant

1. Heard the learned Counsel for the parties.
2. There is stated to be case and counter case between the parties. The injury report in respect of the victim as found from the record is not serious in nature.
3. Learned Counsel for the informant submits that the petitioners have threatened the victim even after the incident and another case has been filed.
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 substantial progress in investigation, it is directed that each of the petitioners 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 including the conditions:

- i) The petitioners are 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 petitioners 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 petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 2818 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.)