

CRM (A) 2880 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **06.07.2023** in connection with **Mothabari** Police Station Case No.**96 of 2023** dated **03.04.2023** under Sections **448/325/354/308/34** of the IPC.

And

In Re: **Samir Mandal and Ors.**

... .. Petitioners.

Mr. Kazi M Rahman

... for the Petitioners.

Mr. Arijit Ganguly
Mr. Avik Ghatak

... .. for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by the learned counsel for the parties including the statement of the victim and the injury report. The injury sustained by the victim are stated to be simple in nature and there is also allegation to the effect that in course of tussle saree of the victim had been pulled.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that 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 fortnight 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.

5. Within 21 days from day petitioners are directed to appear before the IO along with a server copy or certified copy of this order.

6. The application being **CRM (A) 2880 of 2023** is disposed of.

7. The IO is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)