

08.08.2023
ML. 123
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2897 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **86** of **2023** dated **31.01.2023** under Sections **304/34** IPC.

And

In the matter of: **Nazma Khatun & Ors.**

....petitioners.

Mr. Sk. Sahjahan Ali

...for the petitioners.

Mr. Prasun Kr. Datta, Ld. APP
Mr. Nirupam Dhali

...for the State.

Mr. Suman De
Mr. Abhinaba Mukherjee

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. Deceased is alleged to have died by a punch given by one, Sk. Ajijul Rahman who is stated to be the nephew of the deceased. Admittedly, there is a land dispute between the parties. The present petitioners who are ladies are alleged to have instigated the principal accused and other male accused persons by their presence at the spot and utterances.
3. Investigation is stated to have progressed substantially.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation against the petitioners and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of his arrest by the Arresting Officer 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 fact that:

- i) the petitioners being ladies are directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till the submission of F.F.
5. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 2897 of 2023** is disposed of.
 8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

