

08.08.2023
(M/L 124)
Ct. No.29
Allowed
(SKB)

CRM (A) 2898 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Domkal P.S. Case No.389 of 2023 dated 11.06.2023 under Section 436 of the Indian Penal Code.

In the matter of : Hasibul Molla and others

... petitioners

Mr. Arnab Chatterjee,
Mr. Aisur Rahaman,
Ms. Poulami Bose

... for the petitioners

Ms. Faria Hossain,
Ms. Baisali Basu,
Ms. Mamata Jana

... for the State

Mr. Susnigdho Bhattacharyya,
Ms. Bidisha Chakraborty

... for the defacto complainant

1. Liberty is given to the learned advocate for the petitioners to correct the cause title in respect of the petitioner no.3.
2. Heard the learned Counsel for the parties.
3. There is no eye witness to the occurrence as admitted by learned counsel for the parties. What was found to be burnt had been a straw-heap behind the dwelling house of the informant.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence 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 including the conditions:

- i) The petitioner nos.1 and 2 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 petitioner no.3 being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.

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) 2898 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.)