

08.08.2023
(M/L 130)
Ct. No.29
Allowed
(SKB)

CRM (A) 2906 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.428 of 2023 dated 02.06.2023 under Sections 323/341/325/307/354B/379/504/506/34 of the Indian Penal Code.

In the matter of : Afsana Begam

... petitioner

Mr. Goutam Das,
Mr. Ashok Pandey,
Mr. Sudipta Nayan Ghosh

... for the petitioner

Mr. Debabrata Chatterjee, APP
Mr. Mirza Firoj Ahmed Begg

... for the State

1. Heard the learned Counsel for the parties.
2. The injury sustained by the victim in a fight between wives of two brothers is not sufficient to attract the offence under Section 307 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of her 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. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2906 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)