

08.08.2023
(M/L 131)
Ct. No.29
Allowed
(SKB)

CRM (A) 2907 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bauria P.S. Case No.179 of 2022 dated 01.10.2022 under Sections 341/323/325/506/509/34/307 of the Indian Penal Code.

In the matter of : Sk. Gopal @ Riyajiddin
@ Sekh Reyaj Ali and others
... Petitioners

Ms. Devi Priya Mitra
... for the petitioners

Mr. Arijit Ganguly,
Mr. Avik Ghatak
... for the State

Mr. Niladri Sekhar Ghosh,
Mr. Anindya Ghosh,
Mr. Mukul Biswas,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal
... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. The victim is alleged to have sustained injury on his 5th meta carpel which is not a vital part of the body. The offence under Section 307 IPC is not attracted at least *prima facie* in view of the nature of injury.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation 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 G.R. case arising out of 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 today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
 6. The application being CRM(A) 2907 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.)