

09.08.2023
ML. 159
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2940 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghatal** Police Station Case No. **34** of **2023** dated **24.01.2023** under Sections **447/323/324/307/506/34** IPC.

And

In the matter of: **Sailen @ Salil Patra @ Sailen Patra**
....petitioner.

Mr. Praloy Bhattacharjee
Ms. Priya Ghosal
Ms. Tanushree Ghosh

...for the petitioner.

Mr. Shiladitya Banerjee

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by the learned Counsel for the parties including the statement of the victim and injury report in respect of him.
3. Injury sustained by the victim is opined to be simple in nature and as such, does not attract the offence under Section 307 IPC at least *prima facie*.
4. Investigation is stated to have progressed substantially.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed (supra) and substantial progress in investigation, it is directed that 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 petitioner is directed to appear before the I.O.

once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.

- ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2940 of 2023** is disposed of.
9. 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.)

