

**09.08.2023**

ML. 163  
Court No. 29  
Sourav  
(Allowed)

**C.R.M. (A) 2944 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bharatpur** Police Station Case No. **153** of **2023** dated **03.05.2023** under Sections **341/323/325/307/34** IPC.

And

In the matter of: **Babu Sona Mondal**

....petitioner.

Mr. Manas Kumar Das

...for the petitioner.

Mr. S. S. Imam

Mr. S. Kundu

...for the State.

1. Heard learned Counsel for the parties.
2. The victim is found to have sustained fracture of left humerus and simple injury on the head. The situs of the bony injury does not attract the offence under Section 307 IPC at least *Prima facie*. The co-accused persons are stated to be released on regular bail.
3. Investigation is stated to have progressed substantially.
4. 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 conditions that:
  - i) the petitioner is directed to appear before the I.O. once in a week 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.

5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2944 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.)**

