

10.08.2023  
(M/L 191)  
Ct. No.29  
Allowed  
(SKB)

**CRM (A) 2977 of 2023**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Daspur P.S. Case No.359 of 2023 dated 20.06.2023 under Sections 143/341/342/323/307/354(B)/365/379/506 of the Indian Penal Code.

In the matter of : Debjit Mukherjee and others  
... petitioners

Mr. Rabilal Maitra, Sr. Adv.  
Mr. Samim Ahamed,  
Mr. Sidharto Sankar Mandal,  
Mr. Rajit Lal Maitra,  
Mr. Nipesh Majhi  
... for the petitioners

Mr. S. S. Imam,  
Mr. S. Kundu  
... for the State

1. Heard the learned Counsel for the parties.
2. This is a case between the informant and the petitioners, if viewed from political angle as submitted at the Bar. But eschewing such angle while we look at the materials on record, it is found that neither the victim nor any of the informant party has sustained any serious injury and there is no material to constitute offence under Section 365 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed supra and substantial progress in investigation, it is directed that the 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 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) 2977 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.)**