

10.08.2023
(M/L 194)
Ct. No.29
Allowed
(SKB)

CRM (A) 2983 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mothabari P.S. Case No.154 of 2023 dated 27.05.2023 under Sections 448/323/324/354/379/436/506/34 of the Indian Penal Code (G.R. Case No.3328 of 2023).

In the matter of : Md. Saleque Ali @ Salek Sk. and others
... petitioners

Mr. Kazi Mokhlasur Rahman
... for the petitioners

Mr. Tanmoy Kr. Ghosh,
Mr. Arindam Sen
... for the State

1. Heard the learned Counsel for the parties.
2. From the materials on record placed before us, it is found that the kitchen of the victim was set on fire but there is no material as to who is responsible for the aforesaid overt act. So far as offence under Section 354 IPC, the allegation is of pulling of 'sharee' of the victim. All other offences except Section 379 IPC are bailable in nature.
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 No.3328 of 2023 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 week 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) 2983 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.)