

18.08.2023
(D/L 24)
Ct. No.29
Allowed
(SKB)

CRM (A) 2999 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Matia P.S. FIR No.298 of 2023 dated 07.07.2023 under Sections 307/323/325/326/341/34 of the Indian Penal Code.

In the matter of : Habibur Jaman

... petitioner

Mr. Subir Banerjee,
Mr. Sumalya Chakraborty

... for the petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharyya

... for the State

1. Heard the learned Counsel for the parties.
2. The injury sustained by the victim is stated to be simple in nature and not serious. Such position is admitted by learned counsel for the State.
3. Regard being had to such facts and submissions, 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 by the Arresting Officer in the event of his 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 condition:

- i) The petitioner is 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.
4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2999 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.)