

11.08.2023
SL. 10
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3021 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **90** of **2023** dated **17.04.2023** under Sections **341/326/307/506/34** IPC.

And

In the matter of: **Rana Sah @ Rana Shah**

....petitioner.

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly
Ms. Neelanjana Ghorui

...for the petitioner.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Nirupam Dhali

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the witnesses recorded under Section 161 Cr.P.C. and the injury report in respect of the victim.
3. Victim, Koushik Biswas has suffered a cut injury over left forearm by sharp cutting object, size of which is 7.5cm and the injury is opined to be non-grievous in nature.

Victim Biswanath Datta, has suffered an injury over left forearm and an injury over occipital region of the scalp. Though there is no mention about any bony injury, the nature of injury is opined to be grievous. Though C.T. Scan advised, it is submitted by learned Counsel for the State that C.T. Scan of the victim, Biswanath Datta has not been done.

Victim Nayan Mondal has suffered a deep cut injury over forehead (left side and 6 stitches given). There is no

mention of presence of any bony injury but the injury is opined to be grievous in nature. C.T. Scan suggested has not been done.

4. There is stated to be no previous criminal antecedent against the petitioner.

5. Investigation is stated to have progressed substantially.

6. 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 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.

7. 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.

8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 3021 of 2023** is disposed of.
10. 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.)

