

11.08.2023
SL. 15
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3027 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **18** of **2022** dated **14.01.2022** under Sections **341/323/325/326/307/34** IPC.

And

In the matter of: **Afajuddin Sk @ Md Afajuddin Sk.**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

... for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner and others are alleged to have assaulted two persons. One of them, one Akbar Ali has sustained cut injury (4"X1/2") on scalp and for the said injury, he has suffered depressed fracture on right parietal bone. Another victim, namely, Halim Sk has sustained cut wound on occipital region of scalp with swelling, size of which is 3cmX1cm. The injury is, however, simple in nature.
3. Charge-sheet is stated to have been filed in the meantime.
4. Learned Counsel for the petitioner submits that there is no past criminal antecedent against the petitioner.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of injury as discussed (supra) and completion of investigation, it is directed that the petitioner shall surrender before the learned Chief Judicial Magistrate, Berhampore, Murshidabad in G.R. Case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail he

shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3027 of 2023** is disposed of.
8. Learned Chief Judicial Magistrate, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

