

21.08.2023
(M/L 247)
Ct. No.29
Allowed
(SKB)

CRM (A) 3046 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No.229 of 2023 dated 25.05.2023 under Sections 448/323/325/307/34 of the Indian Penal Code.

In the matter of : Tapas Rajbanshi

... petitioner

Mr. Tanmoy Biswas,
Mr. Amit Roy

... for the petitioner

Mr. Angshuman Chakraborty

... for the State

1. Heard the learned Counsel for the parties.
2. The victim is stated to have sustained scratch mark in her right forearm and right periorbital region. The report of the Superintendent, Gangarampur S.D. Hospital, Dakshin Dinajpur and other doctors of the Board is to the effect that it cannot be stated definitely that assault is one of the cause of the miscarriage. There is also no charge under Section 313 IPC till date, though the investigation has progressed substantially.
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 conditions:

- i) The petitioner is 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 petitioner 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 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) 3046 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.)