

21.08.2023  
ML. 253  
Court No. 29  
Suvayan  
(Allowed)

**C.R.M. (A) 3052 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Contai Women** Police Station Case No. **47 of 2023** dated **05.05.2023** under Sections **498A/323/325/307/506/34** of the IPC and Section **4** of the D.P. Act.

And

In the matter of: **Kamal Kumar Raut**

....petitioner.

Mr. Soumyajit Das Mahapatra

...for the petitioner.

Mr. B. K. Roy

Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. It is submitted at the Bar that the informant wife has suffered simple injury on account of alleged assault by the husband with kick blows on her chest and abdomen. In view of such fact offence under Section 307 IPC is not attracted at least *prima facie*.
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), the fact that there is always hope of compromise in matrimonial disputes and such compromise is always in the interest of the family and society 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.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today the petitioner shall appear before

the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3052 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

