

CRM(A) 3067 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak Police Station** Case No. **565 of 2023** dated **13.05.2023** under Sections **308/324/325/326/341/34** of the Indian Penal Code.

- A n d -

In the matter of : Md. Safijul Sk.@Sekh

.... Petitioner.

Mr. Washim Akram
Mr. Swakshar Kumar Mondal

... For the Petitioner.

Mr. P.K. Dutta
Mr. P.K. Ganguly

.....for the State

1. Heard learned counsel for the parties.
2. Considered the materials placed before us including the injury report in respect of the victim which speak of a cut injury on the vertex of the victim but the same involves no bony injury and the victim has been discharged from the hospital after one day. In view of such fact offence u/s 326/308 IPC are not attracted at least prima facie.
3. Regard being had to the facts and submission, factum of permanent resident of the petitioner, nature of allegation, nature of injury as discussed supra, 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 conditions:

- 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.
 - 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. The petitioner is directed to appear before the IO within 21 days from today along with a server copy or certified copy of this order.
 5. Accordingly, the prayer for anticipatory bail is allowed.
 6. The application being CRM (A) 3067 of 2023 is disposed of.
 7. The concerned IO is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)