

22.08.2023
(M/L 279)
Ct. No.29
Allowed
(SKB)

CRM (A) 3080 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hanskhali P.S. Case No.165 of 2023 dated 18.02.2023 under Sections 341/325/307/506 of the Indian Penal Code.

In the matter of : Swapna Samadder
@ Swapna Somaddar Sarkar
... Petitioner

Ms. Minoti Gome,
Ms. Shanta Sarkar
... for the petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan
... for the State

1. Heard the learned Counsel for the parties.
2. It is fairly submitted at the Bar that the lone victim of assault has suffered only a simply injury. In view of such fair submission, 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 and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Ranaghat, Nadia in connection with the aforesaid P.S. case within 15 days from today. On her surrender and application for bail, she shall be released on bail by the

aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 3080 of 2023 is disposed of.
6. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)