

22.08.2023
(M/L 289)
Ct. No.29
Allowed
(SKB)

CRM (A) 3092 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sagarpara P.S. Case No.28 of 2023 dated 30.01.2023 under Sections 341/325/326/307/34 of the Indian Penal Code pending before the learned CJM, Berhampore, Murshidabad.

In the matter of : Mustakin Sk @ Mustak @ Mostafa Sk
@ Mostara Sk. and another
... Petitioners

Mr. Tapodip Gupta
... for the petitioners

Mr. Prasun Kr. Datta, ld. APP
Mr. Nirupam Dhali
... for the State

1. Heard the learned Counsel for the parties.
2. Charge-sheet is stated to have been filed.
3. The injury sustained by the victim being a slash injury by a knife is not very serious in nature at least *prima facie*.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed supra and completion of investigation, it is directed that the each of the petitioner shall surrender before the learned CJM, Berhampore, Murshidabad in connection with the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they 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 including the condition:

- i) The petitioners shall appear before the trial court on the date of substantive hearing subject to provision of Section 317 Cr.P.C.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. The application being CRM(A) 3092 of 2023 is disposed of.

7. 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.)