

29.08.2023

SL. 14

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3115 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joypur** Police Station Case No. **70** of **2023** dated **21.05.2023** under Sections **341/323/326/354B/506/34** IPC (corresponding to G. R. Case No. 934 of 2023).

And

In the matter of: **Monoj Mahato & Ors.**

....petitioners.

Mr. Pawan Kr. Gupta

Mr. Sougata Mitra

Ms. Sofia Nesar

Mr. Santanu Sett

Mr. Rameshwar Sinha

Ms. Soma Chakraborty

...for the petitioners.

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

...for the State.

1. Heard learned Counsel for the parties.
2. The victim is alleged to have sustained injury of loosening of left upper incisor teeth and swelling on over forehead, left cheekbone and pain over body. He is found to be bleeding from nose and teeth at the time of his medical examination.
3. Learned Counsel for the petitioners submits that the victim being a habitual fish thief, he poisoned the pond and the villagers jointly attacked him for such act, resulting in the aforesaid injury.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed (supra) and substantial progress in investigation, it is directed that each of the petitioner shall

be released on bail in the event of their 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 that:

- i) the petitioners are directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) the petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 3115 of 2023** is disposed of.
 8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

