

22.08.2023
ML. 324
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3129 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Malipanchghora** Police Station Case No. **52 of 2023** dated **23.03.2023** under Sections **278/285/287/338/308/326/34** of the IPC.

And

In the matter of: **Raj Kumar Singh & Anr.**

....petitioners.

Mr. Amit Ranjan Pati

...for the petitioners.

Mr. Madhusudan Sur, APP

Mr. Manoranjan Mahata

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are stated to be the owner of the scrap yard where the alleged accident took place causing amputation of the finger of one person, death of another and injuries to some other.
3. There is no proximate relationship of the present petitioners with the alleged transaction at least *prima facie*. We do not want to proceed further as to under which section the petitioners should be charged under the IPC. As it is the discretion of the I.O. to decide.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their 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 including the conditions that:

- i) The petitioner No. 1 (Raj Kumar Singh) is 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 petitioner No. 2 (Anjali Singh) is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today each of 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3129 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

