

22-08-2023
Item no.326A
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM(A) No.3131 of 2023
Bharat Maity @ Bharat Chandra Maity & Anr.
-VS-
The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** in connection with Kolaghat P.S. Case No.395 dated June 28, 2023 under sections 325/341/307/506/34 IPC.

Mr. Navanil De	
Mr. Subhrajit Dey	...for the petitioners
Mr. Binay Panda	
Ms. Subham Bhakat	... for the State

1. Heard learned counsel for the parties.
2. Perused the injury report along with the statement of the victim recorded under section 161 Cr.P.C. Though the victim is opined to have sustained a fracture injury and one-cut injury on his forearm both the injuries are not on the vital parts of the body.
3. 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 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 condition that:
 - (i) the petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioners are directed to appear before the IO along with a server copy or certified copy of this order.
6. The application being CRM (A) No.3131 of 2023 is disposed of.
7. The arresting officer is hereby directed to act upon the server copy or certified copy of this order.

[Chitta Ranjan Dash, J]

[Partha Sarathi Sen, J]