

09.08.2023
(D/L 27)
Ct. No.29
Allowed
(SKB)

CRM (A) 3159 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with GR No.1996 of 2023 arising out of Harishchandrapur P.S. Case No.669 of 2023 dated 09.07.2023 under Sections 147/148/149/332/333/353/307/427/506 of the Indian Penal Code read with Sections 9 & 4 of the West Bengal Maintenance of Public Order Act.

In the matter of : Md. Aminul Hoque
@ Aminul Hoque and others
... petitioners

Mr. Arindam Jana,
Mr. Soumajit Chatterjee,
Mr. Partha Pratim Sinha
... for the petitioners

Mr. Rudradipta Nandy, Id. APP
Ms. Sonali Das
... for the State

1. Heard the learned Counsel for the parties.
2. The occurrence is stated to have happened just prior to the Panchayat election and some persons are stated to have sustained injury which are simple in nature.
3. Learned counsel for the petitioners does not want to press the application for anticipatory bail in respect of the petitioner no.3(Abdur Raqueeb @ Md. Rakib) as he has been arrested in the meantime.
4. Accordingly, the prayer for anticipatory bail in respect of the petitioner no.3(Abdur Raqueeb @ Md. Rakib) is dismissed as not pressed.

5. So far as the other petitioners are concerned, 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 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 GR No.1996 of 2023 arising out of 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:

i) The petitioners are directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.

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

7. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.

8. The application being CRM(A) 3159 of 2023 is disposed of.

9. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)