

23.08.2023

ML. 366
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3172 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pursurah** Police Station Case No. **98** of **2023** dated **21.04.2023** under Sections **341/323/325/307/427/504/506/34** IPC.

And

In the matter of: **Nabakumar Karmakar & Anr.**

....petitioners.

Mr. Niladri Sekhar Ghosh
Mr. Sourav Mondal
Ms. Sampurna Chatterjee

...for the petitioners.

Mr. Prasun Kumar Datta, Ld. APP
Md. Kutubuddin

...for the State.

1. Heard learned Counsel for the parties.
2. It is fairly submitted at the Bar that the injury sustained by the victim does not attract offence under Section 307 IPC at least *prima facie*.
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 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.

4. 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3172 of 2023** is disposed of.
7. 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.)

