

23.08.2023
ML. 365
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3171 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **154** of **2023** dated **17.05.2023** under Sections **341/325/354/326/34** IPC.

And

In the matter of: **Parimal Majumdar**

....petitioner.

Mr. Khalid Hasan
Mr. N. Ahamed Mallick

...for the petitioner.

Mr. Anwar Hossain
Mr. Arif Ekbal Molla

...for the State.

1. Heard learned Counsel for the parties.
2. The victim is alleged to have sustained an open cut injury on his left forearm, size of which is 7.8cm X 1cm X 2cm. There is, however, no bony injury. As such, the offence under Section 326 IPC against the petitioner is not made out, at least *prima facie*. So far as other allegations are concerned, those are at the fringe.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed (supra) and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his 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 petitioner 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 shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

4. The petitioner is 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) 3171 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.)

