

24.08.2023
(M/L 388)
Ct. No.29
Allowed
(SKB)

CRM (A) 3200 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Itahar P.S. Case No.144 of 2023 dated 28.04.2023 under Sections 341/324/325/307/354B/379/506/34 of the Indian Penal Code corresponding to G.R. Case No.896 of 2023.

In the matter of : Mojaffar Khan and others

... petitioners

Mr. Kushal Paul,

Ms. Soma Chowdhury (Bandhu)

... for the petitioners

Mr. Saibal Bapuli, Id. APP

Mr. Arijit Ganaguly,

Mr. Avik Ghatak

... for the State

1. Heard the learned Counsel for the parties.
2. It is fairly submitted at the Bar that the petitioners are not the persons who had mounted indecent assault on the victim. It is further submitted that the injury sustained by the victim is simple in nature.
3. 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 G.R. Case No.896 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 conditions:

- 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.
 - ii) Petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. Accordingly, the prayer for the anticipatory bail is allowed.
 5. 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.
 6. The application being CRM(A) 3200 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.)