

24.08.2023
ML. 423
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3239 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bharatpur** Police Station Case No. **174** of **2023** dated **19.05.2023** under Sections **341/325/326/307/34** IPC read with Sections **25/27** of the Arms Act (corresponding to G.R Case No. 903 of 2023).

And

In the matter of: **Bhagyadhar Mondal & Ors.**

....petitioners.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar

...for the petitioners.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

1. Heard learned Counsel for the parties.
2. As petitioner no. 4, Nripen Mondal has already been arrested, his prayer in the present petition is dismissed as 'not pressed'.
3. From the statement of the witnesses recorded under Section 161 Cr.P.C. and the injury report, it is found that in course of a free fight over some dispute of water logging, the victim is alleged to have sustained injury which according to the injury report in the C.D. is opined to be simple in nature.
4. 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 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 week 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.
5. 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.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 3239 of 2023** is disposed of.
 8. 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.)

