

24.08.2023
ML. 438
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3255 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No. **531** of **2023** dated **07.07.2023** under Sections **341/323/325/308/34** IPC.

And

In the matter of: **Karim Sekh @ Karim Sk. & Ors.**

....petitioners.

Mr. Rana Mukhopadhyay
Mr. Rhiddhiman Mukherjee

...for the petitioners.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

1. Heard learned Counsel for the parties.
2. The alleged victim is found to have suffered no injury and it is alleged by learned Counsel for the petitioners that the petitioners have been falsely implicated just before the date of Panchayat election by the rival political group.
3. In view of the nature of allegation and injury the offence under Section 308 IPC is not attracted at least *prima facie*.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation 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.
5. 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.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3255 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.)

