

09.08.2023
(D/L 31)
Ct. No.29
Allowed
(SKB)

CRM (A) 3315 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with G.R. Case No.4395 of 2023 arising out of Malda P.S. Case No.373 of 2023 dated 11.07.2023 under Sections 341/326/307/354B/427/379/34 of the Indian Penal Code.

In the matter of : Sahabuddin Sk
@ Mohammad Sahabuddin and others
... petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder
... for the petitioners

Mr. Swapan Banerjee,
Ms. Purnima Ghosh
... for the State

Md. Wasim Akram,
Mr. Dhananjay Banerjee,
Mr. Arup Kumar Bhowmick
... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the injury report in respect of several victims. All the victims are opined to have sustained simple injuries in a group clash between the members of two political parties while the petitioners were taking a victory rally after the Panchayat election.
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.4395 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 week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
- ii) The 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) 3315 of 2023 is disposed of.
- 7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)