

25.08.2023
ML. 494
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3314 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Ranaghat** Police Station Case No. **447 of 2023** dated **13.07.2023** under Sections **447/34** of the IPC read with Section **27** of the Arms Act.

And

In the matter of: **Tapas Ghosh @ Tapu**

....petitioner.

Mr. Debarshi Brahma

...for the petitioner.

Mr. N. Ahmed

Ms. Ayantika Ray

...for the State.

1. Heard learned Counsel for both the parties.
2. The basis of implication of the present petitioner is that the informant saw in the CCTV footage regarding the involvement of the petitioner in the alleged use of firearm.
3. From the C.D., we further find that one used catridge has been seized. One pendrive has been seized but there is no definite opinion as to whether in the CCTV footage the petitioner appears to have fired the alleged shot. Admittedly none has suffered injury.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest 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.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3314 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

