

25.08.2023
ML. 493
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3313 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Banshihari** Police Station Case No. **173 of 2023** dated **15.07.2023** under Sections **341/325/326/307/335/379/34** of the IPC.

And

In the matter of: **Biswadwip Sarker**

....petitioner.

Mr. Sarjati Dutta
Ms. Debadrita Mondal
Ms. Sudeshna Chanda

...for the petitioner.

Mr. Aniket Mitra

...for the State.

1. Heard learned Counsel for both the parties.
2. Both the informant and the petitioner being police constable engaged themselves in fight in an inebriated state causing some minor injury to the informant.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, 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 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.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.

7. The application being **CRM (A) 3313 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

