

28.08.2023
ML. 527
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3348 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Narkeldanga** Police Station Case No. **238 of 2023** dated **26.06.2023** under Sections **323/324/506/354/114** of the IPC.

And

In the matter of: **Haider Nawaz & Ors..**

....petitioners.

Mr. Angshuman Chakraborty
Mr. S. S. Saha

...for the petitioners.

Ms. Faria Hossain
Ms. Baisali Basu
Ms. Mamata Jana

...for the State.

Mr. Subhas Ch. Saha

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. There is case and counter case between the parties. The first FIR was lodged by the son of the petitioner No. 4 against the informant and thereafter the present FIR was lodged by the informant. The date of occurrence is same, times of occurrence are also almost identical. There was a fight between the parties and injuries have been sustained by members of both the parties including the informant.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, quantum of punishment prescribed for the higher offence alleged 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 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 petitioners are 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 petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
- 4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
 - 5. Within 21 days from today each of 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) 3348 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

