

28.08.2023
ML. 533
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3354 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kaliachak** Police Station Case No. **722 of 2023** dated **17.06.2023** under Sections **302/109/120B/34** of the IPC.

And

In the matter of: **Md Asmaul Sk @ Asmaul Sekh**

....petitioner.

Mr. Sagar Saha

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

1. Heard learned Counsel for both the parties.
2. Though there is allegation to the effect that the victim was assaulted by iron rod, etc. by the present petitioner and others and succumbed to the injuries, the postmortem report is clear to the effect that the victim had neither suffered any external injury nor any internal injury.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence 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 condition that:
 - i) The petitioners is 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.
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) 3354 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

