

30.08.2023

SL. 16

Court No. 29

Suvayan

(Partly Allowed)

C.R.M. (A) 3366 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raninagar** P.S. Case No. **300 of 2022** dated **03.08.2022** under Sections **341/326/307/354/34** of the IPC corresponding the G.R. case No. **2490 of 2022** pending before the learned ACJM, Lalbagh, Murshidabad.

And

In the matter of: **Rana Sk. @ Masum Hossain & Ors.**

....petitioners.

Mr. S. Ganguly

Md. G. N. Imrohi

Mr. s. Bhattacharyya

...for the petitioners.

Mr. Abhra Mukherjee

Mr. Goutam Banerjee

...for the State.

1. Heard learned Advocate for the petitioners and learned Advocate for the State at length.
2. At the very outset, learned Advocate for the petitioners submits before this Court that he is not pressing the instant application for anticipatory bail in respect of petitioner No. 6, Sohorar Sk. @ Saharuk Sk. and petitioner No. 7, Anarul Sk. @ Mondal since they have been arrested in the meantime.
3. In view of such submission, the instant application for anticipatory bail in respect of petitioner No. 6, Sohorar Sk. @ Saharuk Sk. and petitioner No. 7, Anarul Sk. @ Mondal is dismissed as infructuous.
4. On perusal of the entire materials as placed before us and after hearing the learned Advocates for the contending parties it reveals that out of the alleged transaction one Jinat Ali Sekh suffered laceration injury on his right leg and abrasion on the front of his chest and the measurement of such abrasion injury is 4" X 0.5". Though the injuries of the victim have been opined to be grievous in nature but we do not find any bony injury in

the person of the victim.

5. Regard being had to facts and submissions, factum of permanent residence of the petitioner No. 1, Rana Sk. @ Masum Hossain, petitioner No. 2, Tutul Sk. @ Tutul Hossain, petitioner No. 3, Bulet Sk. @ Golam Gaus, petitioner No. 4, Moiful Sk. @ Maiful Islam and petitioner No. 5, Anarul Sk. @ Anoyar Hossain Sekh, nature of allegation, nature of offence, nature of injury as discussed (Supra) and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad within 15 days from today in the G.R. case No. 2490 of 2022 arising out of aforesaid P.S. case. On their appearance and application for bail each of the petitioner shall be released on bail 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 shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.
6. . The learned ACJM is directed to act upon the server copy of this order, if required.
7. Accordingly, the prayer for the anticipatory bail is partly allowed.
8. The application being **CRM (A) 3366 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

