

28.08.2023
ML. 547
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3368 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hasnabad** Police Station Case No. **153** of **2023** dated **19.04.2023** under Sections **341/324/325/307/506/34** IPC.

And

In the matter of: **Najmul Molla**

....petitioner.

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous

...for the petitioner.

Md. Anwar Hossain
Ms. Sreyashee Biswas

...for the State.

1. Heard learned Counsel for the parties.
2. The father and son are alleged to have suffered injuries, one has suffered cut injury over lateral angle of the left eye (2 inch) and cut injury over left parieto occipital region. Another victim has sustained long cut injury with several stitches. None have sustained any bone injury and the injuries are not on the vital parts of the body.
3. In view of such fact, offence under Section 307 IPC is not attracted at least *prima facie*.
4. Regard being had to the facts and submission, 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 in the event of his arrest by the Arresting Officer 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 week on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form;
 - ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3368 of 2023** is disposed of.
8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

