

28.08.2023

ML. 560
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3381 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **404** of **2023** dated **08.05.2023** under Sections **447/ 323/ 325/ 326/ 307/ 354B/ 379/ 506/ 34** IPC (corresponding to G. R. Case No. 1264 of 2023).

And

In the matter of: **Saiyab @ Saiyab Ali**

....petitioner.

Ms. Minoti Gomes
Mr. Asfak Ahammed

...for the petitioner.

Ms. Z. N. Khan
Md. Kutubuddin

...for the State.

1. Heard learned Counsel for the parties.
2. The injury sustained by the victim is one cut injury on his scalp without involving bone and the same cannot be held to be grievous injury. There is nothing to suggest that the petitioner was also there in the hospital for treatment for more than 20 days.
3. 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.

4. 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3381 of 2023** is disposed of.
7. 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.)

