

28.08.2023
ML. 564
Court No. 29
A.B.
(Partly
Allowed)

C.R.M. (A) 3385 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabadwip** Police Station Case No. **229** of **2023** dated **06.05.2023** under Sections **341/324/325/326/506/34** of the IPC.

And

In the matter of: **Pradip Talukdar & Anr.**

....petitioners.

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Saibal Bapuli
Mr. Soumik Ganguli

...for the State.

1. Heard learned Counsel for the parties.
2. Altogether three victims are there. It is found from the case papers that one Amrita Das suffered loss of left ear lobe (amputated) by the assault of petitioner No. 1 Pradip Talukdar. The assault was mounted by him with a 'dao'.
3. So far as the petitioner no. 2, Prosenjit Talukdar is concerned, the victims have sustained simple injuries as a result of assault by Prosenjit Talukdar by a wooden baton.
4. In view of such facts, we are not inclined to admit petitioner No. 1 Pradip Talukdar on anticipatory bail.
5. So far as petitioner No. 2, Prosenjit Talukdar is concerned, he is directed to appear before the I.O. within the time mentioned hereunder.
6. Regard being had to the facts and submission, factum of permanent residence of the petitioner No. 2, nature of allegation, nature of evidence and substantial progress in

investigation, it is directed that the petitioner nos. 2 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.

7. The petitioner No. 2 is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
8. Accordingly, the prayer for the anticipatory bail in respect of petitioner no. 2 is allowed.
9. The application being **CRM (A) 3385 of 2023** is disposed of.
10. 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.)

