

29.08.2023
SL. 68
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3445 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gaighata** Police Station Case No. **629 of 2023** dated **17.06.2023** under Sections **417/376(2)(n)/328/506/379** of the IPC.

And

In the matter of: **Utsab Mondal**

....petitioner.

Ms. Soumali Das

...for the petitioners.

Mr. Anwar Hossain

Ms. Sreyashee Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is the father of the principal accused, named, Koushik Mondal.
3. From the statement of the victim recorded under Section 164 Cr.P.C., we do not find any allegation of specific overt act against the present petitioner, though there is some allegation at the fringe to the effect that the present petitioner was aiding the principal accused.
4. 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.
5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. 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.

7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3445 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

