

31.08.2023
SL. 10
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3531 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chanchal** Police Station Case No. **450 of 2023** dated **20.04.2023** under Sections **436/448/506/509/34** of the IPC.

And

In the matter of: **Badal Bagdi & Ors.**

....petitioners.

Mr. Sagar Saha
Mr. Imtiaz Kabir
Mr. Nurnobi Seikh

...for the petitioners.

Mr. Bidyut Kr. Roy
Ms. Rita Datta

...for the State.

1. Heard learned Counsel for both the parties.
2. There is stated to be case and counter case between the parties. It is alleged by the informant party that the present petitioners set their house on fire and that it is the case of the petitioners that they set their cowshed on fire and that fire spreaded to the house of the informant. This being questions of fact should be best left to be decided by the learned Trial Court.
3. We do not find any justification for custodial interrogation of the petitioners.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their 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 including the conditions that:

- i) The petitioners are 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 F.F.
 - ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today each of 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) 3531 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

